

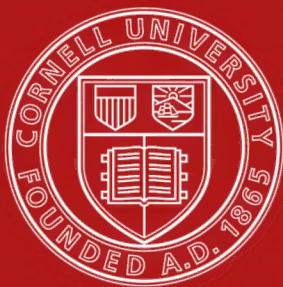
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EXTRACTS FROM THE RECORDS
.
OF THE
CONVENTION OF THE ROYAL BURGHS
OF SCOTLAND.

1711-38.

EXTRACTS FROM THE RECORDS
OF THE
CONVENTION OF THE ROYAL
BURGHES OF SCOTLAND,

1711-38.

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Published for the Convention of Royal Burghs

BY

WILLIAM PATERSON, EDINBURGH.

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P R E F A C E.

THE present volume brings down the publication of the Records of the Convention of the Burghs of Scotland from 3rd July 1711 till 2nd May 1738, a period of twenty-seven years. It thus includes the last three years of the reign of Queen Anne, the whole of the reign of King George.I., and the first eleven years of the reign of King George II.

The abbreviation of the entries in the minute-books of the Convention has been carried farther in this than in the preceding volumes, and it was hoped that the condensation might have enabled the present volume to come as far down as 1749, or, at all events, to include the references to the Rebellion of 1745. But it has been found to be impossible to get beyond 1738.

The apportionment of the tax roll among the several burghs seems to have occupied a considerable share of the attention of the Convention during the earlier portion of the period now dealt with. In the efforts of many of the burghs to secure a reduction of the proportion of the tax allocated upon them, decay was freely pleaded, and these pleadings are interesting as affording some indication of the condition of many of the burghs at this period. The pleas of poverty thus advanced, however, must be accepted with the reserve due to the fact that they were put forward to secure a reduction of taxation.

The Convention also claimed the right to settle disputed election questions, and their claim seems to have been very generally recognised. In 1720, however, the commissioners of the burgh of Culross refused to admit it.¹ On consulting the Lord Advocate he expressed himself unfavourable to the exercise by the Convention of such a power, but declined to give an opinion in writing.² Two counsel were afterwards consulted, and

¹ See p. 261.

² *Ib.*, p. 262.

gave an opinion which so far supported the claim of the Convention.¹ The burgh afterwards made submission,² and so the question was not then judicially determined. But, during the period embraced in the present volume, there was evidently growing a disposition on the part of burghs, or of parties in burghs, to resist the claims of the Convention, and to appeal to the Court of Session as a more satisfactory tribunal.

Numerous acts authorising grants to burghs in distress or decay were passed during the period now dealt with. Among these burghs were Dundee, Arbroath, Ayr, St Andrews, &c. The references to the decay of others are also frequent. Among burghs thus alluded to are Aberdeen, Glasgow, Dunfermline, &c. Grants by the Convention for the repair of harbours also occur. Among the burghs thus assisted were Burntisland, St Andree, and Dundee.

Frequent references occur to applications by burghs for the sanction of the Convention to the leasing and permanent alienation of burgh lands, and to the granting of these applications. Among the applicants were Pittenweem, Dumfries, Anstruthers Wester and Easter, Annan, Haddington, Forres, Burntisland, St Andrews, Kirkcaldy, Edinburgh, and Glasgow. The General Report of the Commissioners appointed to inquire into the state of Municipal Corporations in Scotland, issued in 1835, contains numerous references to the unhappy results of the exercise by the Scottish burghs of the power of alienating their common good. "Even," the commissioners observe, "if the stipulated feu-duties, under such transactions, had consisted of some commodity of a permanent value, the result must have proved injurious to the interests of the burgh; but the mischief was, in most cases, prodigiously increased by accepting a certain return in the current money of the kingdom; and by the mere depreciation in the value of that currency, independent of all increase in the real value of the property, the rents reserved to the burghs have gradually become little more than nominal. Of the disastrous consequences of this mode of administration but too many illustrations will be found in the reports on the

¹ See pp. 263-265.

² *Ib.*, p. 275.

several burghs-royal of Scotland, aggravated by the consideration that in most cases the evil is no longer remediable."

Of the powers which the Convention exercised at this time in sanctioning special acts of administration by burghs this volume contains various illustrations. Thus Culross was authorised to admit guild brethren for a fixed period of years, and at a reduced rate.¹ Certain commissioners were empowered to take an exact account of the common good of Burntisland, to authorise a fit person to uplift it, and to appoint stentmasters.² A gift for life of the town clerkship of Dumbarton was ratified,³ and still later a gift of the town clerkship of Selkirk, in favour of a father and son conjunctly, was approved.⁴

In numerous cases applications were made to the Convention by royal burghs for permission, which was granted, to enter into arrangements with unfree traders in adjacent parishes. Among the burghs to which such permission was granted were Culross, Kirkwall, New Galloway, Ayr, Tain, Inverurie, Cupar and Sanquhar.

Several references to the rebellion of 1715 occur. On 16th March 1716 a committee was appointed to consider as to the best means of relieving those burghs in the north which had been under the influence of the rebels, and which had been subjected to encroachments and impositions by them;⁵ and also to prepare an address to the king, congratulating His Majesty on the success of his arms and the defeat of the Pretender and his adherents.⁶ On the 19th of March the address was adopted,⁷ and on the same day the Convention approved of an address to the king setting forth the hardships which the rebellion had entailed upon many of them, and craving relief.⁸ On 10th July a committee was appointed to consider the losses sustained by certain burghs during the rebellion, and to make such representations on the subject as they might think right.⁹

In 1720 the Convention was engaged in organising a joint stock company for the revival of the fishing trade in Scotland;¹⁰ and the services of Allan Ramsay were enlisted to commend the scheme. This he appears to

¹ See p. 135. ² *Ib.*, p. 196. ³ *Ib.*, p. 213. ⁴ *Ib.*, p. 457. ⁵ *Ib.*, p. 152.
⁶ *Ib.*, p. 153. ⁷ *Ib.*, p. 154. ⁸ *Ib.*, p. 155. ⁹ *Ib.*, p. 164. ¹⁰ *Ib.*, pp. 238, 245.

have done by writing a poem, for which he was rewarded by a payment of £10 sterling.¹

The loyalty of the Convention during this period was evidenced by addresses to the Crown on important public events. The conclusion of the long series of continental wars conducted by the Duke of Marlborough formed the subject of congratulatory addresses to Queen Anne on 5th February and 5th July 1712.² The accession of King George I., the discovery of a rebellion, the return of His Majesty from the continent, and the "present situation of affairs," formed each the subject of an address on 11th November 1714, 6th July 1722, 17th February 1726, and 21st February 1727.³ The accession of King George II. formed the subject of another address on 6th July 1727.⁴ A congratulatory address was also on 9th April 1734 presented to the king on the marriage of the Princess Royal with the Prince of Orange.⁵ The loyalty of the Convention was evidenced in an unusual way on 6th July 1715 by the unanimity with which they expelled both the commissioner and the assessor for Dundee, who had been found by the Lords of Justiciary guilty of "cursing his Majestie."⁶

A large share of attention seems to have been devoted by the Convention to the promotion of foreign trade, and to the development of the resources of the country. Of the practical character of the suggestions offered by them on such subjects there are illustrations in the memorial as to a treaty of commerce with France presented on 19th January 1714;⁷ in a petition to Parliament as to the tobacco trade, 11th January 1723;⁸ in the opposition offered by the Convention to the project of the African or South Sea Company in 1726;⁹ and in the efforts made by them in the same year, through George Drummond, Lord Provost of Edinburgh, to secure exemption from malt duty, and the appropriation of moneys settled by Parliament for the encouragement of trade and manufactures in Scotland.¹⁰

An act of the Convention, dated 5th July 1732, refers to the neglect by several burghs to elect duly qualified representatives in the General

¹ See p. 233.

⁴ *Ib.*, p. 454.

⁷ *Ib.*, pp. 110-114.

² *Ib.*, pp. 38-44.

⁵ *Ib.*, p. 586.

⁸ *Ib.*, pp. 325, 326.

³ *Ib.*, pp. 133, 316, 385, 445-6.

⁶ *Ib.*, p. 142.

⁹ *Ib.*, pp. 379-381. ¹⁰ *Ib.*, p. 383 *et seq.*

Assembly of the Church of Scotland, and ordained all burghs to choose proper representatives. To secure the due observance of this ordinance, it was appointed to be always a head of the annual missive.¹

Two acts in 1732 authorised the expense of prosecuting criminals in Edinburgh and Glasgow to be defrayed by the Convention.²

The details of a somewhat instructive controversy between the Convention and Hew Dalrymple of Drummole, one of the Senators of the College of Justice, and commissioner for North Berwick, as to the powers and proper functions of the Convention, are recorded in 1734.³

A report, dated 4th July 1734, indicates the powers and functions of the Annual Committee of the Convention.⁴

Of the value of the records of the Convention at this time, as affording much important information, not only as to the condition of the burghs of Scotland, but as to the trade and manufacture of the country, and the general condition of the people, an examination of the present volume, as well as of those which have preceded it, can leave no room for doubt. Probably one of not the least important services which the Convention can render in the present day is to bring down the publication of its records till the passing of the Burgh Reform Act. That measure, following the extension of the Parliamentary franchise, not only widened the basis of burghal life in Scotland, but by bringing the burghs and the country generally into direct personal relations with the House of Commons, largely superseded the Convention in the exercise of many of its ancient functions. It is impossible, however, not to see that the extension of the duties of Parliament, and its growing inability to deal satisfactorily with the details of Home Government, are rapidly necessitating administrative changes. That these point to larger powers of local administration seems obvious. Of late years the English boroughs have recognised the necessity for an efficient organisation to take special cognizance of burghal interests; and probably the day is not far distant when the Scottish burghs will recognise more

¹ See p. 534.

² *Ib.*, pp. 539-540. See also act as to "rogues and fellows," p. 535.

³ *Ib.*, pp. 564-586.

⁴ *Ib.*, p. 591.

largely, as in special matters they are already beginning to see, the necessity for co-operation and mutual support in matters of common concern.

At their last meeting in Dundee, the Convention, considering the necessity for having an index to the volumes already issued, authorised its preparation and publication to be proceeded with. If this resolution is adhered to, the work will be proceeded with as speedily as practicable.

J. D. MARWICK.

KILLERMONT HOUSE,
GLASGOW, *March* 1885.

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EXTRACTS FROM THE RECORDS

OF THE

CONVENTION OF THE ROYAL BURGHS OF SCOTLAND.

GENERAL CONVENTION, *held at* EDINBURGH.



EDINBURGH, John Duncan and William Livingston ; Perth, William Austin ; Dundie, George Yeaman ; Aberdeen, John Ross ; Stirling, John Erskin ; Linlithgow, Alexander Glen ; St Andrews, Alexander Watson ; Glasgow, John Aird ; Air, Robert Moor ; Hadingtoun, David Forrest ; Disart, James Greig ; Kirkaldie, James Oswald ; Montrose, James Scott ; Couper, Mr Thomas Hope ; Anstruther Easter, James Graham ; Dumfries, Robert Corbet ; Inverness, John Barbour ; Burntisland, George Thomson ; Innerkeithing, Alexander Hendersone ; Kinghorn, John Aitkin ; Brechin, John Doig ; Jedburgh, Walter Scott ; Kirkudbright, James Gordon ; Wigton, Alexander Campbell ; Pitenweem, Mr Robert Clelland ; Dumfermling, David Wilson ; Anstruther Wester, George Smith ; Selkirk, Andrew Wauch ; Dumbarton, Sir James Smollet ; Renfrew, Mr John Cochran ; Dunbar, William Fall ; Lanark, William Inglis ; Aberbrothock, John Hutcheson ; Elgin, William Gordon ; Peebles, John Frier ; Craill, George Drummond ; Tain, John Ross ; Culross, William Cochran ; Bamf, Sir Alexander Ogilvie ; Forfar, Alexander Jaffrey ; Rothesay, Archibald Stewart ; Nairn, Alexander Falconer ; Forras, John Roy ; Ruthglen, John Muir ; Northberwick, James Miller ; Cullen, Mr John Philp ; Lauder, George Lauder ; Kilrenny, James Peacock ; Annan, Mr

EDINBURGH.
3 July 1711.
Sederunt.

EDINBURGH.
3 July 1711.
Sederunt.

William Johnston ; Lochmaben, George Kennedy ; Sanquhar, Abraham Crichton ; Newgalloway, William M'Court ; Dingwall, John Mac-ra ; Queensferry, John Kill ; Fortrose, William Tolme ; Kintoir, Robert Bruce ; Inverurie, John Fergusone ; Week, James Murray ; Kirkwall, Mr Robert Douglas ; Inverbervie, Mr William Shepherd ; Stranraer, James Dalrymple ; Campbeltoun, Mr Robert MacCollin ; [Irving, Whithern, Dornock, Inverarie, *blank*].

3 July 1711.

Preses, revis-
ing commis-
sions, members
qualified.

1. Adam Broun, lord provost of Edinburgh, elected preses ; committee appointed to revise the commissions ; members of committee not previously qualified took the oath of allegiance and abjuration and subscribed the same with the assurance.

4 July 1711.

Commissions
approven,
members
qualified.

2. Approved of the whole commissions ; and appointed the clerk to write to the burgh of Inverbervie "to desire the said burgh to abstain from sending up a precenter or schoolmaster commissioner to the conventione in time coming, as being of bad example and without president amongst the burrows." Members not previously qualified took the oaths of abjuration and allegiance and subscribed the same with the assurance.

Committee.

3. Appointed a committee to consider the heads of the missive or what else should be remitted to them.

Bamf, laird of
Bracco.

4. Having considered petition by the burgh of Bamf, the convention remitted to a committee "to meet with the laird of Bracco and provost of Bamf and use their best endeavours to procure an accomodatione betwixt the contending parties."

5 July 1711.

Heads of
missive.

5. Continued, to be heads of next general missive, articles as to the platforme, stopping gifts and monopolies, barren ground belonging to Irvine, erection of manufactories, misapplying mortifications, idle and vagrant persons, consideration of certain burghs at alteration of tax roll, setting lands of Murehouse at Kirkaldie, and paying of missive dues.

Southern
shires, wool.

6. Appointed a committee "to meet with some of the gentlemen of the southern shires and to concert with them what may be the most proper method for procuring the fourteen thousand pounds sterling allowed by act of parliament for making up the lose the southern shires sustained in the wool by the Union."

7. Appointed the clerk to acquaint each burgh deficient in sending up their sets to be recorded in a particular book, in terms of the 38th act of the general convention of 1708, that unless sent by 1st November next they will be pursued for the penalty of £200 Scots, and that for a fund for supplying decayed burghs.

EDINBURGH.
5 July 1711.
Sets to be sent.

8. Referring to the 36th act of 1709, the convention ratified tacks by the burgh of Dunbar of (1) the three water mills, with astricted multures and other duties, and the grass adjacent thereto, from the wester march of the west common to the west bridge of West Barns, for nine years, at a yearly rent of 900 merks Scots; and (2) a piece of ground on the east end of Lowsielaw meadow, called the Saugh Meadow, for the space of fifteen years at the rent of ten shillings sterling yearly.

Approving two
tacks by
Dunbar.

9. The committee appointed by the 11th act of last general convention not having succeeded in settling the differences between the burghs of Innerkeithing and Dumfermling and John Stenhouse of Southfodd, the convention appointed the article to be continued in the missive, and, if the affair is called before the lords of session, the agent, in name of the burghs, to assist Innerkeithing and Dumfermling.

Innerkeithing,
Dumfermling.

10. Appointed the committee to report their diligence in accommodating the difference between the burgh of Elgin and sheriff of the shire, conform to the 15th act of last general convention; and, if the business cannot be adjusted, the agent to concur with the burgh in order to bring the declarator depending in the court of session to a happy conclusion, and in the meantime the burgh to send a double of their charter.

Elgin.

11. Appointed a committee to revise the agent's accounts.

Agent's
accounts.

12. Remitted to the committee which is to sit after dissolving this convention, petition from the burgh of Dunbar complaining that the Duke of Roxburgh intended to inclose 'ane highway leading to and from the burgh of Dunbar through the links of Broxmouth, of which road the said burgh has been in possessione past all memory of man, and the inclosing thereof will be very prejudicial to the fishing of that place and all round about; and the said burgh having been at considerable expense in defending against the enclosing of the said highway, first before the justices of peace and next before the lords of session, which they are noways able for without the assistance of the royall burrows."

Dunbar.

13. The commissioner of Kirkaldie reported that the sum of £50 sterling, granted in 1708, having been applied towards repairing the harbour of Burntisland, the same is "in pretty good conditione, yet unless something be done from time to time to keep up the work already made, it may soone come to be in ane very ill conditione, which will be very hurtfull to the trade in this place of the kingdom"; and the convention appointed a committee to visit and report on th

Harbour of
Burntisland.

EDINBURGH.

5 July 1711.

Committee for
reforming
memoriall
anent trade,
&c.

14. The conventione having heard and considered the memoriall anent the trade of Scotland, particularly what relates to the fisherie there, sent up by the committe to the commissioners of trade and plantations, with ane address to her Majestie, and other letters relative thereto in Aprile last, they did find the committe had taken great pains in the said matter and deserved the conventions thanks therefore, and appointed the commissioners for [twenty-one burghs] as a committe to revise and consider the said memoriall and to reforme what is amiss therein and add thereto wherein it is defective, to the end the commissioners of trade may have a distinct view of the state of the trade in this part of the Island, and, that the committe may be the better prepared, appointed the memoriall to be printed with all convenient speed that each member may have a copy thereof, and appointed the committe to report to the conventione.

Selkirk, en-
croachments.

15. The conventione having considered the petitione from the burgh of Selkirk, shewing Alexander Pringle of Whitebank to have incroached upon a piece of ground belonging to the said burgh at the Red Score on their north commone, lying on the north side of the water of Ettrick, and that he had interrupted them in the possessione thereof, and had intended a proces of molestatione, intrusion, and declarator, against the burgh, the conventione recomended to the burghs of Stirling, Dumbarton, Bamf and Annan, to meet with my Lord Bowhill, one of Whitebanks tutors, and signifie to his lordship the forsaid petitione, and to endeavour a friendly and peaceable accomodatione thereof, and that the said proces of molestatione, intrusione and declarator, intended at the instance of the said Whitebank and his tutors before the lords of counsell and sessione against the said burgh, may be stopt, or otherwise the conventione will take the said burgh of Selkirk under their protectione and appoint their agent to defend the forsaid actione at the publick charge of the burrows, and appointed the agent to write to the rest of Whitebanks tutors that live in the country and signifie to them as above, and if they refuse a friendly accomodatione then the convention appointed their agent to defend in manner forsaid.

Tax roll.

16. Appointed the committee on the missive to consider tomorrow the article on the alteration of the tax roll and to report.

17. The agent in his accounts from July 1710 to July 1711 charges himself with £7000 Scots of missive dues, the discharge (including £1116, 17s. 6d. of last year's balance) amounting to £5805, 15s. 4d. leaving a balance due by him of £1194, 4s. 8d. Scots. The discharge contains payments for "tavern bills £339, 1s. 6d." and "to the gardner of Heriots work, £11, 12s." EDINBURGH.
5 July 1711.
Agents ac-
compts.

18. On petition of the burgh of Forfar to be eased of three shillings in the tax roll, "cast upon them in absence of their commissioner in the convention at Glasgow," the convention appointed a committee to visit the burgh and report its condition. Forfar.

19. The conventione anent the report of the visitors of the burgh of Dundie, finding the whole revenue of the burgh exhausted by ministers and schoolmasters stipends, the tolbuith and herbours thereof much decayed, the whole town very ruinous, and that the two pennies upon the pint was so prudently managed that no part thereof could be applied for any other use then the payment of their debts, and that they were much in arriars as to their missive dues and not able to pay the same, the convention appointed and hereby appoints their agent to pay to the said burgh fifty pounds sterling money out of the missive dues to be laid on in July j^m vij^c and twelve years for repairing the tolbuith and herbours of the said burgh in regard of the low conditione thereof, and that their commissioner hath engaged to see the hails bygone missive dues owing be the burgh to the former and present agent payed up; whereupon the commissioner for Aberdeen dissented and protested against the said act and alledged the convention could lay on no burden upon the burrows, where any member opposes it, but the Queens cess, and thereupon tooke instruments in the clerks hands; to which protestatione the commissioners for Glasgow and Dumfries adhered. It was answered to the said protestation, by the commissioner for Dundie, that the burghs of Aberdeen and Glasgow had gott supplies from former conventions, albeit some members opposed the same, and therefor either of the said burghs ought to repeat the gratuities granted be the conventions to them, or their protest taken in this matter ought not to prejudge the burgh of Dundie, and thereupon protested and took instruments in the clerks hands. Dundie, £50.

20. Appointed petition by the burgh of Kirkaldie "showing the low condition thereof and craving to be supplied" to be a head of next general missive. Kirkaldie.

- EDINBURGH.
5 July 1711.
Coupar. 21. Appointed petition by the burgh of Couper, complaining of their high proportion of the tax roll and prejudice sustained by the burghs of regality and barony, to be a head of next missive, and granted to the burgh "the benefite of unfree trade within their presinct, with power to them to prosecute the unfree traders therein who have not already agreed for the communicatiōne of trade."
- Jedburgh. 22. Allowed to the burgh of Jedburgh £15 sterling in full of expenses disbursed by them in defending the process at the instance of Blackhill.
- Kirkwall. 23. Anent petition by the burgh of Kirkwall, "granted to them the benefite of unfree trade within Orkney and Zetland," with power to prosecute all unfree traders and agree with them for bygones untill next general convention.
- Several burghs. 24. Anent petitions from the burghs of Selkirk, Daisart, Dumfermling, Kintoir, Inverurie, Jedburgh and Queensferry, the convention appointed the consideration of these burghs to be heads of next general missive.
- Wick. 25. Agreed, upon the commissioner for Wick paying the missive dues resting by the burgh, to assign them to the benefit of unfree trade in Caithness against all unfree traders who have not compounded with the agent, and that for bygones and till next general convention.
- Conservatorship, convoys. 26. Anent the petitione from Sir Andrew Kennedy, craving the conventione would receive the decree of the house of peers, reversing the sentence of the lords of session, record the same in the burrow books, revive the instructions given by the burrows formerly to him, and recomend him to the magistrats of Campvere for the benefite of trade, the conventione does remitt the samen, together with another petition given in by William Gordon, merchant in Edinburgh, in name of Sir Alexander Cuming of Coulter, relative to the said affair, to the committe that is to sitt after disolving of this conventione, and appoints the said committe to hear both parties and take my lord advocates advice thereanent. At the same time, the commissioner from Dundie protested, in name of the burgh of Dundie and such others as would adhere to him, that no burrow might be lyable to conservators dues nor lyable in fynes for not observing the staple till such time as the two convoyes come regularly tuise a year, in the terms of the staple contract, and thereupon tooke instruments in the clerks hands; to which the commissioners for Perth and Kirkaldie adhered; and thereafter the said commissioner for Perth passed from the same.
- Lauder. 27. On complaint by the burgh of Lauder of ineroachments made by the

justices of peace of the shire of Berwick, the convention remitted to certain burghs to confer with the justices and endeavour an accommodation. EDINBURGH.
5 July 1711.

28. Allowed to the burgh of Fortrose "defalcation of ane years cess and missive dues effeirand to ane shilling in the tax roll." Fortrose.

29. Granted to the burgh of Elgin the benefit of unfree trade within the shire of Elgin, with power to compound for bygones and till next general convention.

30. The committee to whom the memorial anent fishing and trade was remitted not having had time to consider the same, the matter was referred to the committee which is to meet after this convention. Memorall
anent fishing
and trade.

31. In order to the finishing and clearing of the accounts of Sir Robert Forbes, late agent, the convention directed steps to be taken for ascertaining before 1st November next, if he had received more than he charged himself with, or if anything of the "equivalent" be due by him to the burghs. Sir Robert
Forbes' ac-
compts.

32, 33. Granted to the burgh of Dumfermling the benefit of the unfree trade in Torriburn, and to the burgh of Innerkeithing the benefit of unfree trade in North Queensferry and Aberdour; with power to compound with unfree traders for bygones and till next general convention. Dumfermling,
Innerkeithing.

34. Appointed a committee to visit the burgh of Queensferry and report the condition thereof and of their harbour and tolbooth to next general convention. Queensferry.

6th July 1711.

35. The convention "considering what great heats and debates doe generally arise amongst the royall burrows at the alteration of the tax roll, and to prevent all misunderstandings that may arise thereanent and to continue peace and concord amongst them," ordained the present tax roll of £94, as it is now apportioned amongst the burghs, to continue till July next. Tax roll.

36. The convention considering that four pounds of the tax roll of the royall burrows which ought to be payed be the unfree traders for the communication of trade, was proportioned amongst the whole royall burrows in the last annual convention, conform to their respective proportions in the tax roll of the ninty four pounds, whereby severall of the royall burrows were burdened therewith who ought to bear no part thereof, not only in regard of their heavy proportion of the ninty four pounds of the said tax roll but also upon account of their great decay of trade and the smalness of their commone good, they do therefor appoint and ordain the said four pounds to be proportioned till the meeting of Four pounds
of the tax roll
proportioned.

EDINBURGH.
6 July 1711.
Four pounds
of the tax roll
proportioned.

the next annual convention in July next as followes, viz., Perth 7s., Aberdeen 16s., Glasgow, £1. 10s., Anstruther Easter 1s., Dumfreis, 12s., Inverness, 7s. 6d., Irving, 1s. 6d., Pitenueem, 1s., Dumfermling 1s., Aberbrothock, 2s., Craill, 1s. ; and ordains the respective royall burrows to pay the same accordingly upon whom the same is proportioned as said is, and appoints each burgh to send up their commissioner fully instructed anent the alteratione thereof against the next annual conventione, and this to be ane head of the next annuall missive ; and for the saids burghs their relief anent the said four pounds, the conventione declares that the saids royall burrows amongst whom the saids four pounds is now proportioned shall have the sole benefite in so far as extends to the said four pounds of what shall be recovered from the burghs of barrony and regality and other unfree traders betwixt and July next, more then the fourty shilling already agreed for by some of the saids unfree traders, which is payable to the agent, to be applyed be him for relief of the royall burrowes of the said fourty shilling of the tax roll, excepting herefrom quhat is or shall be particularly disposed of by the conventione for the relief of the other burghs, and appoints their agent to pay the superplus accordingly ; against which John Ross, commissioner for Aberdeen, John Aird, commissioner for Glasgow, Robert Corbet, commissioner for Dumfreis, protested and craved liberty to give in their reasons in write, and thereupon tooke instruments in the clerks hands, to which the commissioners for Perth, Inverness and Aberbrothock, adhered ; but thereafter the said commissioner for Perth passed from the same.

Reasons why
Aberdeen
ought not to
be hightned.

Followes the reasons given in be John Ross, commissioner for Aberdeen, why the toun of Aberdeen should not be heightened or any imposition laid upon them, but rather ane ease given them of their proportione of the tax roll :—

(1) It's known through the whole natione and to all the conventione that the staple commoditie of their trade is the course woollen manufacture of plaiden, fingham and stockings, and that since the Unione the demand for this course manufacture is very much lessened and that branch of trade much discouraged and not the one half now exported of what was formerly, and that being their only valuable branch of trade is one considerable reasons why they should have ease of the tax roll,

beside the salmond fishing which formerly was another valuable branch of trade is now more then the half decreased.

EDINBURGH.
6 July 1711.

(2) They do presently pay four pounds eighteen shilling, which is more then severall other burghs more considerable in trade pay, who since the Union, by the encouragment upon drawbacks, have had a fare more considerable trade in forreign places, so that in reasone they ought to give relief to other burghs that are overburdened.

Reasons why
Aberdeen
ought not to
be highthied.

(3) It is sufficiently known that the toun of Aberdeen is under great burden of debts, and that they have been necessitat to contract more upon account of the publick works, such as their prisone, their herbour, and the bringing in of thei'r water, all which are arguments for ane case.

And in the last place, to their sad grief and experience, they have not only been at considerable loses since the Revolutione, but of late within thir eight or ten months it's known and can be made appear that they have lost at sea not under fifteen thousand pounds sterling, and beside are now lyable to the impositione upon water born coall, which will be very heavy upon them, and which all the royall burrowes in the kingdome that use coall are free of except Montrose and them; by all which it is evident that they ought rather to have ane abatement then to have any farder burden laid upon them.

As the above reasons may be thought sufficient to prevent any furdur impositione, so they are so many arguments against so summer a procedur as is designed by the committe, to vote a scheme or alteratione of the tax roll without allowing it to be considered or to lye on the table that the members concerned may be heard and redrest; and seeing it was the custome formerly to vote each touns additione of the stent roll seperatly, I protest against any such precipitant procedure, as inconsistent with the rules and constant practise of the conventione, and for all cost, skaith and damage that the toun of Aberdeen may sustain in seeking redress of what I think so irregularly put upon them, and thereupon I take instruments; as the saids reasons signed by the said John Ross bears.

Followes the reasons given in be John Aird, commissioner for Glasgow, why the toun of Glasgow ought not to be charged higher in their proportione of the cess :—

Reasons why
Glasgow ought
not to be
highthied.

(1.) It is to be considered that the toun of Glasgow has no courts

EDINBURGH.
6 July 1711.
Reasons why
Glasgow ought
not to be
heightned.

of judicature to occasione the resort of strangers, numbers of inhabitants, consumptione of goods, and other advantages by which cities are supported in their riches and trade, but the said toun depends almost intirely upon the trade to the plantations, which how uncertain and precarious it is in time of war everybody knows, and how particularly it has been so to Glasgow cannot escape the observatione of all who have been anywise acquainted with that place since the Union.

(2) The losses of that toun by trade have been so palpable and so considerable that it can to a demonstratione be made appear, upon a reasonable estimat of the incomes and [losses] by trade, that the latter has exceeded the former above thirty thousand pounds sterling the three years last past.

(3) It is well known to many of the conventione that when the tax roll was altered about six years agoe the toun of Glasgow was advanced four pounds sixteen shilling in their proportion of the said roll, for no other reasone, as we presume, then because the said toun had appeared in a necessary prosecutione of their just right and title to their proportion of the profits of the burrow tack, by which they undeservedly fell under the resentment of some of the then members of the conventione that exerted themselves to contrive and lay upon the said toun such anes unsupportable burden under which they have ever since groaned, and the last year when the tax roll came to be altered the conventione were so sensible of this heavy burden of the toun of Glasgow and of the vast losses which it had sustained and were then recent, that they appeared very well disposed to have eased us of some part of our proportione of the tax roll, but the commissioner and assessor of the said toun were desired not to push any alteratione that time in regard of the instability of the times and of the probable expectatione of a peace, and to prevent the heats and animosities which upon the change of the roll might arise, which the said commissioner and assessor from a view to the amity and peace of the burrows and a confidence of their compassion to the said toun complied with.

(4) Not only upon these considerations had the toun of Glasgow ground to expect ane ease of their burden from this conventione, but likewise upon account of the great lose they have mett with this year, the

lose of four of their West India ships within these few days, the too just fears of the lose of more of them, that they were under no apprehensions of having any further burden laid upon them, much less could they have expected that the convention should have proceeded in such an irregular and precipitant method and imposed a scheme without consulting the town of Glasgow and other burghs so much concerned.

EDINBURGH.
6 July 1711. —
Reasons why
Glasgow ought
not to be
hightned.

(5) Not only have the town of Glasgow these losses, but this and the two former years been extraordinary, but even the ships which have arrived and are so much talked of have been for the most part laden with tobacco, which commodity since the Union has been so great a drugg that it rather has brought lose then profite to the importers. As for red wine and other goods, by which any advantage has accresced to the merchant, our importatione of them have been so very inconsiderable that they can never be a reason for laying on a greater burden.

(6) A great dale of forreign trade, and almost all the fishing of the west seas, reputed to be in the town of Glasgow, has been and is managed by the town of Greenock and other places, not to mentione the removall of severall of our chief merchants from Glasgow to other places, where they can be easier in their stent, and the vast charge and expence which the town of Glasgow is now obliged to be at in repairing and cleansing of their harbour at Port Glasgow to prevent their ships being obliged to go to other ports.

From all these reasons, and a great many others which might be offered, it is evident that the not lessening the town of Glasgow's proportione of the tax roll, much more the charging them with any more then according to their proportione of the deficiency of the unfree traders, must inevitably bring ruine and desolation upon that town; as the saids reasons signed by the said John Aird bears.

Followes the reasons given in be Robert Corbet, commissioner for the town of Dumfreis, why the said town ought to be eased and not raised in their proportione of the tax roll:—

Reasons why
Dumfriesought
not to be
hightned.

The totall ruine and decay of the trade of the burgh of Dumfreis, occasioned by the continuall runing of tobacco and other goods by unfree traders living in the countrey, without the liberties of the burgh of Dumfreis, from the Isle of Man, which we laid before the honourable conven-

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Reasons why
Dumfries
ought not to
be hightned.

tion about two years agoe, and also we concurred with the merchants of the touns of Liverpool and Whithaven to lay our griveances before the British parliament but hitherto have had no redress, but the said unfree trade does still continue and increas, to the great prejudice and ruine of our trade, so that the greatest merchants in Dumfries, who formerly had a considerable trade, have now almost none at all, and as a convincing evidence of this, since the Union there has not a ship come in to our port from any forreigne place (except one small vessel from Dantzick) but we have had three taken and one wracked, and the port of Dumfries which used formerly to pay considerable duty to her Majestie has not these severall years bypast been able to pay the custome house officers their sallaries, which can clearly be made appear by the custome-house books.

As the above reasons may be thought sufficient to prevent any farder impositione, so they are so many arguments against so summar a procedur as is designed by the committe to vote a scheme or alteratione of the tax roll without allowing it to be considered or to lye on the table, that the members concerned may be heard and redrest; and, seeing it was the custome formerly to vote each touns additione of the stent roll separatly, I protest against any such precipitant procedure as inconsistent with the rules and constant practise of the conventione, and for all cost, skaith and damage, that the toun of Dumfries may sustain in seeking redress of what I think so irregularly put upon them, and thereupon I take instruments; as the saids reasons, signed by the said Robert Corbet, bears.

Reasons why
Aberbrothock
ought not to
be hightned.

Followes the reasons given in be John Hutcheson, commissioner for the burgh of Aberbrothock :—

I, John Hutcheson, commissioner for the burgh of Aberbrothock, do adhere to the severall protestations taken by the commissioners for the burghs of Aberdeen and Glasgow against the procedure of this present conventione, for the reasons following, viz. :—

(1) It's well known to this board that the poor toun I represent was augmented almost ane half of their tax at the last alteratione of the roll, which heavy burden they have (tho with no small difficulty) graped with these six years bypast.

(2) They have no forreign trade, only by the assistance of the country gentlemen about them they are enabled to send a small ship to Norrway once a year for bringing home timber, which was taken and ransomed last year.

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Reasons why
Aberbrothock
ought not to
be hightned.

(3) They had nine small barks who were employed by transporting victuall up the water of Forth and bringing home salt or coalls, six whereof were lost within these two years and those remaining were taken, some once, some tuise, by French pirrats and ransomed.

(4) Altho it can be made appear by the custome house books that our inhabitants did not export any linnen cloth these seven years bypast themselves, excepting only fifteen thousand ells last year for London, yet our poor people were in some measure supported by manufacturing the same to trading merchants in our neighbouring burghs, who are now so discouraged by the small demands therefore at London that they cannot afford any price whereby any poor weavers can have bread which has occasioned many of them turn souldiers of late.

(5) I gave in a memoriall, shewing the deplorable state and condition of said burgh, how their commone good was morgaged by building a new ston bridge over their water, building their school house which had latly fallen, and likewise had pounded their commone credit for a considerable sum of money which was bestoued on the reparing their harbour, which was latly broken down by a great storm, and that the said harbour wanted yet to be furder helped, which the toun would farder stretch themselves for had they but the assistance of a small sum whereby they were to procure three foot more water in their harbour, which will be of great use for incourageing white fishing, and likewise for sheltering ships and barks, either northward or southward bound, who were stoped by contrary winds or pursued by pirrats.

(6) Without any regard to the said representation, this present convention has added a fifth part to our former tax, which is plain and evident to all indifferent persons who knows the conditione of said poor burgh that they have met with singular bad treatment; nay, for these and other reasons, do humbly beg that this honourable board may take the lamentable state of the poor burgh of Aberbrothock under their consideration and let them share of the equall justice and commiseration that is

EDINBURGH. becoming such a wise judicatory, that this poor burgh may be preserved
 6 July 1711. from utter ruine; as the saids reasons, signed by the said John Hutcheson,
 bears.

Answers to the
 said reasons.

To all which protestations and reasons, it was answered by John Duncan, dean of gild of the city of Edinburgh and one of the commissioners for the said city, for himself and also in presence and in name of the other members of the said conventione and of the severall burrows whom they represent, that the convention of the royall burrows have upon this occasione proceeded according to the pouers vested in the conventione by many laws and acts of parliament made in Scotland before the Union concerning their priviledges and powers, and confirmed to them as a part of the conditions of the Union, and to which even these acts imposing the severall cesses either before or since the Union have plainly a regard; as also that the said convention have upon this occasione proceeded upon the like reasons and according to the forms often used in former conventions in the alteration of the stent roll, for the ease and relief of decayed burrows, whether by the decrease of their trade or incumberances upon their commone good by laying some greater proportione of the stent roll upon the more flourishing burrows and such where the commone good being freer are more able to defray these burdens; and, further, the said John Duncan, for himself and in name forsaid, did protest that the sincerity and impartiality of their procedure was not only in law presumed but might likewise appear by the act made by the said conventione for relief of these burrows now charged with the forsaid four pounds on account of the quota of unfree traders, whereby the proportion of the unfree traders which shall be recovered are appointed to be applied for relief of these burrows; and, lastly, forasmuch as the protestatiounes entered on account of so small ane alteration made only for this ensueing year in name of the saids John Ross, commissioner for Aberdeen, John Aird, commissioner for Glasgow, Robert Corbet, commissioner for Dumfreis, and John Hutcheson, commissioner for Aberbrothock, too evidently tend to the overthrowing of the just priviledges and constant possession of the conventione of the royall burrows, the filling of these conventions with endless and inextricable debates and confusions, disturbers of the publick

peace and disquieting of the good neighbours in the burrows, also well as the disappointment of the settled means of payment of the taxations and cess imposed for supporting of the government, therefore the said John Duncan, for himself and in name forsaid, protested that the saids John Ross, John Aird, Robert Corbet and John Hutcheson, commissioners for the saids burghs of Aberdeen, Glasgow, Dumfreis and Aberbrothock, shall be personally lyable, and in case their saids burghs shall approve of the procedur and protestations made be them that the saids burrows their constituents shall be lyable for all cost, skaith, and damage that may ensue; as the said ansuers to the saids protestations signed by the said John Duncan bears; to quhich ansuers and protestatione taken be the said John Duncan the whole members of the conventione adhered except the saids protesters.

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6 July 1711.

Answers to the
said reasons.

37. The conventione, anent the petition given in be the burgh of St Andrews, shewing the great advantage and benefite that may arise to the burrows in repairing the herbour of St Andrews, in case it shall happen that ships be driven from their anchors in the Firth of Forth, where they may safely put in there if the same were repaired, and that the commissioner for the said burgh has promised to perfite the repairing of the said herbour upon his oun charges, which was attested by the burghs of Dundee, Aberdeen and Kirkaldie, and would cost upuards of tuo thousand merks more then the four hundred pounds Scots already allowed by the conventione for repairing thereof, the convention appointed their agent to pay to Alexander Watson of Eatherney, present commissioner for the said burgh of St Andrews, four hundred pounds Scots money of furder supply, to be employed be him in repairing the said herbour at the sight of the commissioners of Kirkaldie and Craill and the magistrats of St Andrews; and the convention appointed them to report to the next generall conventione how far the said sum was accordingly applyed, and this to be ane head of the next missive; whereupon the commissioner for Glasgow protested that the burgh of Glasgow might not be lyable in any part thereof, and thereupon tooke instruments in the clerks hands; to which it was answered be the commissioner for the burgh of Dundie that seeing the burgh of Glasgow had got supplies upon the like occasione, therefore he protested they might

St Andrews
herbour.

EDINBURGH.
6 July 1711.

be lyable to pay their proportion of the said four hundred pounds for supporting their neighbouring burrow, and thereupon took instruments in the clerks hands.

Peebles.

38. Appointed a committee to visit the burgh of Peebles and report its condition to next general convention.

Queensferry.

39. Anent petition by the burgh of Queensferry, "shewing that severall of their burgesses who were in use to bear a considerable part of their publick burdens have retired to their toun ends without their jurisdiction," and that there are several others who take away a great part of the trade, the convention instructed the agent to pursue these burgesses and unfree traders and to pay to the burgh what shall be recovered from them.

Elgin, Moss-
towie.

40. On report by the burghs appointed by last general convention to see the greens and muirs of Mosstowie, belonging to the burgh of Elgin, roupd, the convention approved of the roup and sale and act of the town council following thereon, the minutes being recorded at the end of this convention.

Sett of Craill.

41. Approved of the sett of the burgh of Craill and appointed the same to be recorded along with the other setts.

Committee.

42. Appointed a committee to meet after the dissolving of this convention to transact and agree with unfree traders, and also remitted to the committee all affairs relating to the staple port, management of common good and revenues, privileges and encroachments thereon, and other public concerns of the burghs.

10 July 1711.

Aberdeens
pretended
appeal.

43. There was presented by the commissioner for Aberdeen, for himself and in name of the commissioners for Glasgow, Dumfries, Inverness and Aberbrothock, "a paper which he was pleased to call ane appeale," the convention remitted to a committee "to consider the said pretended appeale and how far the saids commissioners have power from their constituents to give in the same and if it can be marked in the burrow books.

Dingwall.

44. Appointed petition from Dingwall "shewing the great desolatione of the said burgh" to be a head of next general missive.

Kinghorn,
transporting
forces and
prisoners.

45. The conventione anent the petition from the burgh of Kinghorn, shewing the great expence they are put to in sending expresses from the government and transporting of the forces and prisoners to and from the north, recomended to the commissioners for Stirling and St Andrews to wait on the right honourable the Earle of Leven and repre-

sent the case to his Lordship, and recomended to the commissioners for Edinburgh and their assessors to speak to Doctor Pringle, Her Majesties physician for the sick and wounded, for refunding the expence the said burgh is put to upon these occasions.

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10 July 1711.
Kinghorn,
transporting
forces and
prisoners.
Lochmaben,
encroachments

46. The conventione, anent the petition from the burgh of Lochmaben, shewing that the tenants in the barrony of Torthoroll have made encroachment upon their commonty and to trouble and molest the said burgh with vexatious pleas thereanent, which they are not in a conditione to defend upon their own expence, the conventione recomended to the commissioners for Dumfreis, Annan and Sanquhar, to visit the said burgh and report the particular conditione thereof to the next generall conventione, and this to be a head of the next missive; and in the meantime the conventione recomended to the commissioners for Edinburgh, Stirling and Annan, to speak to the gentlemen their neighbours to endeavour to accomodat their differences.

47. Remitted petition of John Home, servitor to the late agent, to the committe appointed to meet after this convention.

Petition of
John Home.

48. On report by the committee anent the agents accounts of his intromissions with the unfree trade and the several sums appointed to be paid on account of cess, the convention found that since last account the agent had intromitted with £2110 of unfree trade and paid £1920 as eight months cess effeiring to forty shillings of the tax roll and £420 of missive dues on six pounds of the tax roll.

Agents ac-
counts, unfree
trade.

49. Granted warrant to the agent to pay to the lord provost of Edinburgh whatever money (not exceeding £100 sterling) may be necessary "for promoting and carrying on of bills that may be presented to the parliament for the encouragement of the trade of the natione and other concerns of the royall burrows."

Money to be
advanced for
carrying on
bills, &c.

50. The conventione remitts to the commity for the unfree trade, appointed to sit after dissolving of this present generall conventione, the consideration of the memoriall anent the trade of the natione and particularly the fishing, with pouer to the said committe to add to the said memoriall as they shall see cause; and further recomends to the said committe to consider what qualifications may be necessar for such as may hereafter be chosen members of parliament for any of the royall burrows

Memoriall
anent trade;
qualifications
of members of
parliament.

EDINBURGH.
10 July 1711.

Aberdeens pre-
tended appeal
discharged.

and to give their opinion thereanent to the members of the royall burrows for this present parliament.

51. The committe appointed by the conventione to consider a paper presented by the commissioner for the burgh of Aberdeen for himself and in name of the commissioners for the burghs of Glasgow, Dumfreis, Inverness and Aberbrothock, which he was pleased to call ane apeale against the proceedings of this present conventione, having heard the same read in their presence, and considering that there is no president to be found in their books nor any example of such ane appeal, as also that their right and possession to determine in matters of the nature complained off is established by the laws of Scotland and confirmed by the treaty of Union of the two kingdomes, and that the said pretended apeale is not only subversive of their priviledges but presented without authority or mandat from the saids commissioners their constituent burghs, and considering also that the pover of the conventione of the royall burrows of Scotland concerning their stent is not a matter of judicature but of policy and order peculiarly competent to themselves, therefore, and for preventing the bad consequence that may happen to the priviledges of the royall burrows if such novelties should be found upon their books, the committe are of opinion the convention should discharge their clerks to receive the said pretended appeale or mark the same in the minuts or registers of their meeting; which being considered by the conventione they, not only for the reasons above represented but also inregard the said pretended apeall is vitiat, wants a date, witnesses names and designations, they were unanimously of opinion the same should not be received, and have discharged and hereby discharges their saids clerks to receive the same or to marke the same in their minuts or registers of their meeting; whereupon the commissioner for the burgh of Aberdeen protested that, inregard the conventione had refused to allow their said appeal to be insert in their books, he might have liberty to bring in ane nottar in whose hands he might take instruments upon productione of the said appeal; to which it was ansuered by the commissioners for Edinburgh that both their clerks were notars, and altho the conventione refused for the reasons above represented to allow the said appeal to be insert in their books, yet they allowed their saids clerks, as publick

notars, to extend the protestations taken by the said commissioner for EDINBURGH.
19 July 1711.
Aberdeen in this present conventione.

52. The commissioner for Aberdeen protested that each member of Aberdeen's
protestations.
the conventione who signs the books may be personally lyable, as he and those other commissioners for the burghs concerned with him are to be personally lyable, and craved liberty to give in his said protest in writing; and the dean of gild of Edinburgh, commissioner for the said burgh, protested in the contrare.

53. The conventione unanimously appoints their agent to depurse Agent to
advance money
for defending
protestations.
what money may be necessar for defending of them against the protestations taken by the commissioners for the burghs of Aberdeen, Glasgow, Inverness, Dumfreis and Aberbrothock, in case the same shall be insisted in by them, and appoints the same to be advanced at sight of the lord provost of Edinburgh, and any three of the committe for unfree trade appointed to sit after dissolving of this present generall conventione, and ordains the sum so to be advanced to be charged on the next annual missive.

54. It being represented to the conventione that prisoners taken at Conveying
prisoners.
sea and put ashoar on the north coast do often times pass through the country in great numbers with a very inconsiderable guard, to the great danger of shiping when they come along the sea coast, to prevent the danger whereof, the conventione recomends to the particular royall burrows in the north that when prisoners are sent to the south they may be conveyed through the midle of the countrey and not along the sea coast.

55. The conventione appoints each burgh who have not yet taken Weights and
Measures.
setts of the weights and measures from the respective burghs to whome the priviledge of keeping the same does belong, to call for the same betuixt and the next annuall conventione, with certificatione that in case they neglect to doe the same they shall be obliged to pay the price of the saids weights and measures whether they take the same or not.

56. Appointed the agent to pay the usual salaries and gratuities.

Salaries and
gratuities.
Dissolving con-
ventione.

57. Dissolved the present meeting and appointed the next general convention to be held at Edinburgh in July 1712.

MINUTES OF COMMITTEE *held at* EDINBURGH.

28 August 1711.

EDINBURGH.
28 August 1711
Sederunt.

Edinburgh, John Duncan ; Linlithgow, Alexander Glen ; Hadingtoun, David Forrest ; Montrose, Alexander Arbuthnot ; Inverkeithing, Alexander Henderson.

Preses.

1. Adam Broun, lord provost of Edinburgh, elected preses.

Andrew
Kennedys and
Sir Alexander
Cumings affair.

2. The committee having considered the petition given in by Sir Andrew Kennedy to the last convention, with that also given in by William Gordon, merchant, in name of Sir Alexander Cuming, and decree of the house of Peers reversing the sentence of the lords of session, remitted by the said convention to the committee, the committee recommended to the dean of gild of Edinburgh and commissioner from Montrose to lay the said affair and writs relating thereto before the lord advocat that his lordships advice in write may be had in order to the committee's regular procedur therein at next meeting which was appointed to be on the thirteen day of November next.

Protest,
William
Gordon.

At which time the said William Gordon protested as follows:—
I, William Gordon, merchant in Edinburgh, in name of Sir Alexander Cuming of Coulter, and doer for him, do hereby protest that the committee which is now to meet about the affair betuixt the said Sir Alexander Cuming and Sir Andrew Kennedy may only consider the matter without determining therein, in regard it was the meaning of the last convention that the said committee after consideration of the case should report the same to the next convention ; and thereupon take instruments in the clerks hands.

Protest, Sir
Andrew
Kennedy.

As also, the said Sir Andrew Kennedy protested as followes,—
repeating word for word William Gordons protest,—that therupon I, Sir Andrew Kennedy of Clowburn, conservator, &c., do protest against you William [Gordon], doer for Sir Alexander Cuming of Coulter for your molesting and disquieting me in the peaceable enjoyment and possession of my office, contrare to the judgement of the right honourable the house of Peers now lying before the honourable committee of the royall burrows, and for all cost, skaith, and damage may accrue to me thereby ; and

farder, also, I protest that you Mr Adam Watt, clerk, give me full and authentick extracts of the said William Gordons mandat and pouers from Sir Alexander Cuming of his petition and other papers given in by him to the royall burrows; and of all and whatsoever is or shall be done in that matter; and upon all the premises I take instruments in the clerks hands.

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28 August 1711
Protest, Sir
Andrew
Kennedy.

18 December 1711.

Edinburgh, John Duncan; Montrose, Alexander Arbuthnet; Renfrew, Sederunt.
John Cochran; Culross, William Cochran; Annan, Sir William Johnston; St Andrews and Dumbarton (*blank*).

1. Sir Robert Blackwood, lord provost of Edinburgh, elected preses. Preses.
2. The committee appointed to consider petitions by Sir Andrew Kennedy and William Gordon in name of Sir Alexander Cuming, adjourned till Monday 24th inst., as Gordon did not appear. Kennedy's and Gordon's petitions.

3. The committe, considering that the burgh of Glasgow and other burghs who appealed from the last convention to parliament, in the matter of the altering the tax roll, are resolved to insist in the said affair, therefor the committee appoints a memoriall to be drawn up by the lord advocat and Sir David Dalrymple, containing the state of the controversie, to the end the lord provost of Edinburgh may transmitt the same to London for the information of the lawiers employed by the burrows in the affair. Appeal from the convention to parliament.

24 December 1711.

Edinburgh, John Duncan; Montrose, Alexander Arbuthnot; Renfrew, Mr Sederunt.
John Cochran; Culross, William Cochran; Annan, Sir William Johnston; St Andrews and Dumbarton (*blank*).

1. Sir Robert Blackwood, lord provost of Edinburgh, elected preses. Preses.
2. The committee appointed by the last generall convention to consider the petition from Sir Andrew Kennedy of Clowburn, with another petition given in by William Gordon, merchant in Edinburgh, in name of Sir Alexander Cuming of Coulter, and ansuers thereto by the said Sir Andrew Kennedy, having mett, and the said Sir Andrew Kennedy and William Gordon compearing personally the said Sir Andrew Petitions as to conservatorship.

EDINBURGH.
24 December
1711.

Petitions as to
conservator-
ship.

desired the saids petitions with ansuers to be read, of which the tennors follow :—

To the right honorable the generall convention of burrows, Sir Andrew Kennedy of Clowburn, conservator, humbly sheweth that where I had the gift and office of conservator of the Scots priviledges in the Netherlands, by patent under the great seall, during my life, and was accordingly admitted and received by the burrows of Scotland and fully established in the said office both here and at Campvere in the Netherlands, in which office I have endeavoured to serve faithfully untill disturbed and molested by Sir Alexander Cuming of Coulter, who, upon a pretence of a gift from her Majestie, did raise a vexatious proces against me as your honours know, as also what was the issue of it before the lords of counsell and sessione ; but, now, seeing upon my appeal it hath pleased the right honourable the house of peers of the parliament of Great Brittain to reverse the sentence given against me by the lords of session and to adjudge and declare Sir Alexanders gift to be void and my gift to stand in full force, and that I should be quieted and fully enjoy the benefite thereof, as the judgement of the said honourable peers pronounced in this matter herewith produced will testife ; in pursuance of this judgement I have therefore thought it my duty to attend this honourable convention that I may be fully redintegrat in the right and possession of my said office. May it, therefore, please the honourable convention to receive the foresaid judgement given in my favours and to ordain the same to be recorded in your books ; as also to revive and renew their injunctions and instructions to me, and likewise to the whole royall burrows, with such recomendations to the magistrats and toun of Campvere as the honourable convention shall think proper for prosecuting what belongs to my said office, and what may be for the service of trade and royall burrows, and for the due observing of the staple and whole conditions and priviledges thereof, and to issue out their orders accordingly ; which I humbly present myself to receive with all submission. *Sic subscribitur* : ANDREW KENNEDY.

To the right honourable the lord provost of Edinburgh and remanent members of the royall burrows, in convention assembled, the petition of William Gordon, merchant in Edinburgh, for and in name of

Sir Alexander Cuming, baronet, conservator and resident, &c., sheweth :
That, being informed there is a petition given in to your honours by Sir
Andrew Kennedy, craving that the judgement of the house of peers in
the appeal betuixt him and Sir Alexander may be recorded in the books
of the royall burrows and that his title as conservator may be confirmed
by your honours, &c., as in the said Sir Andrews petition is contained, I
humbly crave leave in name and by order of Sir Alexander Cuming to
represent to your honours that the judgement of the house of peers in
the said appeal is not of that importance that Sir Andrew is pleased to
represent to be ; for their being a decreet of forfeitur of the office to the
Queen, upon ane actione prosecute in Her Majestys name by her express
command, and their being no appeal against the Queen, who was the
principal party in the decree of forfeitur, that decree stands conse-
quently as to her Majestie, and Sir Alexanders last commission, anno
1708, is not in the least touched by the said judgement of the peers,
which, tho' it takes away his first commission, as being prior to the de-
cree of forfeitur, yet his second commission was posterior to said decree.
Besides, forfeitur of offices is alwayes to the Croun and not to privat
persons, and that forfeitur as to the Queen could never be revers'd
without calling of her, which cannot now be done there having been no
protestation of appeal made against the Queen when the decree was
pronounced, and accordingly the toun of Campvere have refused to acknow-
ledge Sir Andrew, notwithstanding of the judgement of the lords, in-
respect of Sir Alexanders last commission which is not touched by that
judgement, and they have declared they will ounne none but those who
are vested with the Queens authority by a posterior new grant, which Sir
Andrew, knowing to be so as is above represented, has petition'd the
Queen for a new commission, which has been also refused him. And
seeing the whole state of that affair is at present lying before the Queen and
counsell by a petition given in by Sir Alexander, craving Her Majesties
directions and representing the resolution of the toun of Campvere the
thirty of May last, by which they refused to acknowledge Sir Andrew, it
is not to be doubted but that matter will come to a speedy issue there.
May it, therefore, please your honours, in consideration of the premises, to
refuse the desire of Sir Andrews petition, at least to allow a suteable

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time to Sir Alexander to see and ansuer the same ; according to justice.
Sic subscribitur : WILLIAM GORDON.

Ansuers for Sir Andrew Kennedy, conservator, &c., to the petition of William Gordon, merchant, exhibit to the royall burrows for and in name of Sir Alexander Cuming. . . . In reply to which counter petition Sir Andrew represents, first, that it appears to be more then ordinary presumption in the said Sir Alexander, and which no doubt the said house of peers upon application would not fail to notice, that the said Sir Alexander after such a clear judgement against him, upon a full hearing, not only making void his commission but declaring most expresly that Sir Andrew Kennedy should be and is thereby quieted in the enjoyment of the said office, notwithstanding of the decree of the lords of session against him, which by the said judgement of the peers is *in terminis* reversed, that yet the said Sir Alexander should presume to appear against the said judgement, designing himself conservator and resident, &c., and to hinder the royall burrows to give the compliance thereto which they cannot possibly evite, specially seeing, *secundo*, that the grounds of the said Sir Alexanders counter petition are both false and calumnious, inasmuch as he therein affirms that the decree of forfeitur against Sir Andrew, being upon ane action prosecut in Her Majesties name by her express command, there was no appeal against the Queen, the principall party in that decree, and consequently that that decree of forfeiture stands good as to her Majestie, which representation is most false inasmuch as it is certain that Sir Alexander did pursue and obtain the said decreet of forfeitur against Sir Andrew as being her Majesties donator and having her gift and commission for that effect ; likeas, it is no less evident that Sir Andrew did make his appeal against Sir Alexander, as her Majestys pretended donator, and Sir Alexander himself in his printed case, exhibited to the house of peers for his own defence, marks the same expressly :—Sir Andrew Kennedy, Bar, Appellant ; The Queens Majestie and Sir Alexander Cuming, Bar, Respondents —as his case herewith produced doth testifie ; whereby it is clear as suns light that not only the said appeal was made from a decree obtained by Sir Alexander as her Majesties donator but also that Sir Alexander himself did acknowledge the Queen to be the principall party and re-

spondent in that appeal, so that it is altogether calumnious in Sir Alexander to aledge that there was no appeal against the Queen, the principall party in that decree of forfeiture, when he himself in the said printed case expressly affirms the contrary. But, *tertio*, where Sir Alexander farder affirms in his counter petition that the last commission for the said office he obtained from her Majestie, 1708, is not in the least touched by the said judgement of the peers, because tho it takes away his first commission as being prior to the decree of forfeiture reversed, yet his second commission was posterior to the said decree, then which nothing can be more groundless, inasmuch as it is manifest by the said Sir Alexanders printed case, exhibited by him to the peers, that he most expressly founds not only upon the first grant under the great seall but upon his said new commission granted to him in the year one thousand seven hundred and eight, ratifying the former commission, with a *novodamus*, by which it is plain that Sir Alexanders new commission, with a *novodamus* in the 1708, was by himself *deductum in judicium* before the peers, and both he and the Queens lawiers, the attourney generall and solicitor generall, who were there his procurators pleading to it; and yet, by the judgement of the peers, his commission, albeit so ratified, was declared void after full consideration of all he had represented in his case; but, farder, let this new commission that Sir Alexander pleads be read and considered and there can be nothing more absurd then that it should be obruded against the judgement of the peers, inasmuch as this new commission expressly proceeds upon the narrative of the first commission granted to Sir Alexander and the decree of forfeiture against Sir Andrew thereupon pronounced, whereupon the Queen ratifies the said first commission and of new confers the said office to Sir Alexander. Now what can be more absurd then that after the said decree of forfeiture is reversed, and after Sir Alexanders first commission is declared void, he should pretend to this second commission, which is only a ratification founded on the said decree of forfeiture, when both the decree of forfeiture and the first commission thereby established are expressly made void, specially if it be withall considered that Sir Alexanders first commission and his decree of forfeiture were both reversed and made void after

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the peers, upon his own representation in his printed case, had this second gift and ratification in their view, whereby all men of commune sense must acknowledge that Sir Alexanders second gift is fallen and made void in consequence. But, *quarto*, whereas Sir Alexander says that the forfeitures of offices are always to the Queen and not to privat persons, and that this forfeiture is to the Queen and could never be reversed without caling her, it is ansuered, that forfeitures of offices are indeed always to the croun, but it is as certain that as this decree of forfeiture was pronounced at the instance of Sir Alexander, as her Majesties donator, so he himself made the Queens Majestie respondent in the appeal and did plead for her Majestie by her own lawiers, who were also his lawiers in the case, so that it is most certain that the Queen was both partie and made compearing by Sir Alexander in this affair. But Sir Alexander says the toun of Campvere have refused to acknouledge Sir Andrew, nothwithstanding of the judgement of the peers, inrespect that Sir Alexanders last commission is not touched by that judgement; but, first, what Sir Alexander says as to the toun of Campvere is *gratis dictum* and his oun naked assertion; *secundo*, it is above demonstrat that this second commission of Sir Alexanders was both expresly touched in the judgement of the peers and infallibly made void in consequence; but, *tertio*, it is not to be doubted but that the toun of Campvere will regard the judgement of the peers as a sentence given by Queen and parliament notwithstanding of Sir Alexanders indeavours to the contrary. And it is yet far less to be questioned but that the royall burrows, who should know the import and weight of such judgement much better than strangers, will both acknouledge Sir Andrew to be fully restored and likewise recomend him as fully restored to the toun of Campvere. As to what Sir Alexander suggests that Sir Andrews petition to the Queen for a new commission was refused, it is absolutely false, and Sir Andrew having so clear a judgement of the peers in his favours, quieting him in the enjoyment of his said office, neither needs any new commission nor is to be doubted but that upon his application he would obtain to be renewed if it were necessary. As to what Sir Alexander injoyns that he had laid the state of this afaire before the Queen and counsell by a petition given in by him, it is ansuered that no such petition appears and

that is only Sir Alexanders own assertion ; *secundo*, if any such petition was unadvisedly given in by him it was and certainly will be for ever misregarded ; for, *tertio*, how can any rationall man imagine that the Queen and her counsell will meddle, far less counteract, what has been so fully and unanimously determined by the judgement of the peers and consequently by a sentence of Queen and parliament. Upon all which it is humbly and confidently expected that the royall burrows will reject Sir Alexanders counter petition and grant the desire of Sir Andrews petition in their just compliance with so full and clear a judgement of the right honourable the house of peers of the parliament of Great Britain which Sir Alexander ought neither in duty or in sense and reasone to have opposed. *Sic subscribitur* : ANDREW KENNEDY.

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Thereafter, the said committe desired the said William Gordon to produce his mandat from Sir Alexander Cuming autherising him to compear in the said affair, who accordingly produced the same with another paper subscrivit be him containing a protestation against the preses and all the other members of the committe their proceeding to determine in any point to his constituents prejudice, inrespect the said Sir Alexander Cuming was absent as a member of parliament *et rei publice causa*, and thereupon took instruments in the clerks hands ; which protestation the committe admitted and admits and appointed the same with the mandat to be recorded and extracts to be given by their clerks to all parties concerned ; of which mandat and protestation the tennors follow :—Sir, Inclosed I send you a letter to my lord advocat who with Mr M'Leod and Mr Fleeman will concur in anything that concerns me. My cousine, Mr Carnagie of Boisack, will likewise assist all he can. I have inclosed tuo or three more letters which ye may deliver to such of the burrows as ye think will be usefull, particularly Colonell Erskin, if he be a member of this convention. I have likeuise sent a copy of my last commission and of the lords judgement. What charges you lay out please draw on me, which thankfully shall be reimbursed by, Sir, your most obliged and humble servant. *Sic subscribitur* : AL. CUMING.
London, 30 June 1711.

William Gordon, undersubscribing, was called and compeared at the last generall convention of the royall burrows at Edinburgh, July last,

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and being required by the then preses, Adam Broun, provost of Edinburgh, to produce his mandat for speaking in Sir Alexander Cumings affair against Sir Andrew Kennedy, he produced the same, which was read by the clerk and approven of by the generall convention, who allowed Sir Andrew Kennedy to speak fully what he had to say and likewise allowed me the same liberty in behalf of my friend Sir Alexander Cuming ; and after severall commissioners of the convention had spoken their opinion, it was proposed by Sir James Smolet to refer it to the committe to be advised with the then lord advocat how far it might be thought fitt to meddle in that affair, which was then tabled and lying before her Majestie and counsell, and that my lord advocats advice should by the committe be reported to the next generall convention, which was positively insisted on and prest by Provost Yeaman of Dundie and seconded by Logie Scott of Montrose, Collonell Erskin, and the plurality of the convention, and therefore yeelled to and ordered to be booked accordingly, which I, William Gordon, offer to produce and am not obliged to ansuer for the clerks negligence, notwithstanding of what's above said, yet Sir Andrew Kennedy did sometime thereafter prevail with Adam Broun, provost of Edinburgh, to call the committe, I suppose for that very end, which I had notice of and compeared accordingly remonstrating the above said matters of fact, and consequently protested in the clerks hands against my lord provost and each member present that they should not proceed to determine anything contrare to the generall conventions resolutions, but that what they should do was to be reported to the next generall convention; upon all which I tooke instruments as aforsaid, so the committe did not proceed but was a witnes to a contra protest Sir Andrew made against me, the present lord provost of Edinburgh, Sir Robert Blackwood, having this day, the twenty fourth of December one thousand seven hundred and eleven, ordered me to attend the royall burrows committe upon Sir Alexander Cumings affair as aforsaid, I herewith have produced my mandat and orders from the said Sir Alexander Cuming and do hereby reiterat all above narrated, and for all the reasons above I protest against the present preses, my lord provost of Edinburgh, and all the other members of this committe that they do not act in anything contrare to the generall conventions resolution, or proceed to determine

in any point to my constituents prejudice, in respect he the said Sir Alexander Cuming is absent as a member of parliament *et rei publice causa*. *Sic subscribitur*: WILLIAM GORDON.

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GENERAL CONVENTION *held at* EDINBURGH.

31 January 1712.

Edinburgh, John Duncan, and William Livingston; Perth, William Austin; Dundie, Mr Henry Guthrie; Aberdeen, Robert Stewart; Stirling, James Christie; Linlithgow, Alexander Glen; St Andrews, Alexander Watson; Glasgow, John Aird; Air, Robert Moor; Hadingtoun, David Forrest; Dysert, David Thomson; Kirkaldie, Mr James Oswald; Montrose, Alexander Arbuthnet; Couper, Mr Thomas Hope; Anstruther Easter, George Scott; Dumfreis, Robert Corbet; Inverness, Mr Alexander Clark; Burntisland, George Thomson; Inverkeithing, Alexander Henderson; Kinghorn, William Birrell; Irving, John Hamilton; Jedburgh, John Simpson; Wigton, Alexander Campbell; Pittenueen, Mr Robert Clelland; Dumfermling, David Wilson; Selkirk, Andrew Wauch; Dumbarton, Sir James Smollet; Renfrew, Mr John Cochran; Dunbar, William Fall; Lanerk, William Inglis; Aberbrothock, George Ochterlony; Elgin, Robert Dunbar; Peebles, John Frier; Craill, George Drummond; Tain, Hugh Ross; Culross, William Cochran; Bamf, William Sim; Whithern, John M'Gouan; Northberwick, James Miller; Cullen, Mr John Philp; Lauder, George Lauder; Annan, Sir William Johnston; Lochmaben, George Kennedy; Newgalloway, John Hog; Queensferry, John Hill; [twenty one burghs *blank*.]

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Sederunt.

1. Sir Robert Blackwood of Pitretrie, lord provost of Edinburgh, elected preses; whole commissions approved of; members qualified by taking the oath of allegiance and abjuration and subscribing the same with the assurance.

Preses elected,
members
qualified.

2. Appointed a committee to consider the missive and every other thing remitted to them.

Committee.

1 February 1712.

3. The committee appointed to consider the present missive reported to the convention that they having read a paper intituled: The case of the touns of Glasgow, Aberdeen, Dumfreis, and others praying ane redress of the present manner of assessing the royall burrows of Scotland; and the question being put to the severall members of the committee if any of them would own the said case or not, the whole committee *nemine*

The paper
intituled the
case of the
touns of
Glasgow,
Aberdeen, &c.,
disowned.

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The paper
intituled the
case of the
touns of
Glasgow,
Aberdeen, &c.,
disowned.

contradicente disowned the same; but the representative of Aberdeen protested against the question, in regard that if it had been presented before the House of Commons it ought not after their sentence to be considered by this board, and if not made use of there it was of no more force then a common pamphlet, and thereupon tooke instruments in the clerks hands, to which the burghs of Perth, Dundie, Glasgow, Dumfreis, Aberbrothock and Elgin adhered. Thereafter the committe put the question whether the said case was a paper containing severall misrepresentationes of matters of fact, yea or no, and it caryed yea,—*nemine contradicente*; but Aberdeen protested against the state of the said question, and thereupon took instruments in the clerks hands, to whom the burghs of Perth, Dundie, Glasgow, Dumfreis, Aberbrothock and Elgin adhered. Thereafter it was put to the vote in the committe whether ane address or representation should be made to the Queen and parliament in relation to the prejudice the burrows sustain by the clause in the land tax bill laying doun a new method of proportioning the tax roll among them, yea or no, and it caryed address; but the burgh of Aberdeen protested against the addressing as stated by the vote, but that ane address of thanksgiving be made to her Majestie and parliament for the worthy rule they have decreed in favours of the royall burrows, and protested for himself and all that would adhere that they and their constituents shall not be lyable in any part of the expence to be laid out in prosecuting the forsaid first address, to which protest the burghs of Perth, Dundie, Glasgow, Dumfreis, Aberbrothock and Elgin adhered; whereupon the dean of gild of Edinburgh also protested that he might have liberty for himself and remanent burrows to ansuer the saids protestations which was alloued. All which being considered by the conventione the question was put to the severall members of the conventione, if or not any of them would own the said case, and the whole members of the conventione, *nemine contradicente*, disowned the same; but, before the question, the commissioner for Aberdeen protested that each members name might be marked at his vote and that he adhered to his former protestatione taken before the committe, as did also the commissioners for the burghs of Perth, Dundie, Glasgow, Dumfreis, Aberbrothock and Elgin, and thereupon tooke instruments in the clerks hands; to which the dean of

gild of Edinburgh did ansuer for himself and those who should adhere to him that the printed case presented, bearing upon the back thereof the title of The case of the royall burrows of Scotland; and the samen being disowned by the representatives of the royall burrows now met in this conventione, *nemine contradicente*, that therefore the samen should only be considered as a paper which loads the last and other conventions of burrows with repeated acts of oppression, contrare to their knoun practises in the alterations of the tax roll, and that therefore this convention should vindicat themselves of the reflections put on them therein, and that the commissioner for Aberdeen and others his adherents may be lyable in the expense the royall burrows shall be put to in obtaining relief from the honourable parliament against the clause added to the land tax act relating to the assessment of the burrows, and thereupon protested and tooke instruments in the clerks hands, to which all the members of the convention adhered except the protesters; and the convention solemnly declared that they payed all defference to the proceedings of the honourable houses of parliament and never had the least intention to interfere therewith and were to give in their humble address to the honourable house of commons.

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intituled the
case of the
touns of
Glasgow,
Aberdeen, &c.,
disowned.

4. The conventione, upon report of the committe anent the missive, Prizage wine. appointed the burrow agent to concurr with the merchants in their complaint anent exacting of prizage wine ever since the Union, which is one tun of ten and tuo tuns of tuenty and above, and now depending before the court of exchequer, and remitted the consideration of the expences to the next generall convention.

5. The conventione appointed the commissioners for [eleven burghs as a committee] to prepare the draught of ane address or representatione to the Queen and parliament in relation to the clause of the subsidie act past this session of parliament laying doun a new method for proportioning the tax roll among the severall burrows, shewing the hurt the state of the burghs sustained by the said clause; and recommended to the commite to draw up ane ansuer to the paper intituled The case of the burghs of Glasgow, Aberdeen, Dumfreis, and others,—whereupon the said act proceeds.

Committe,
address to
Queen and
parliament.

6. Remitted petition of the burgh of Bamf to the consideration of next Bamf. general convention.

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7. The convention having considered the draught of a representation to the honourable house of commons brought in by the committee to whom the consideration of proper wayes and means to applye for relief of the clause in the land tax bill ascertaining the proportion of the royall burrows was remitted, they approved thereof and appointed the same to be recorded, the tennor whereof followes:—To the honourable the Commons of Great Britain in parliament assembled, the humble representation of the royall burrows of North Britain, praying relief of a clause in the act for the land tax as to the manner of assessing the royall burrows of Scotland. The clause in the act of the land tax whereof the royall burrows of North Britain crave relief is: That, forasmuch, as hitherto there hath been no settled rate for ascertaining the proportion of the severall royall burrows of Scotland in the tax roll, be it therefore enacted that an estimat or valuation be made of the true and reall rent of all lands, tenements, and other hereditaments that have been in use to be taxed within the severall burrows, and that the said estimat or valuation shall be the rule by which the convention of burrows shall ascertain the proportion of each burrow in the tax roll.—As to which clause we cannot but humbly take nottice that the rise and occasion thereof appears to have been a petition of the touns of Glasgow, Aberdeen, Dumfreis, and others, praying redress of the present manner of assessing of the royall burrows of Scotland, the ground of which petition having been a protest taken by the saids burrows in the late convention of burrows in Scotland, for the conventions having laid and proportioned the deficiency of four pounds Scots of their tax roll upon the said complaining burrows, the royall burrows were ready to have justified their procedure by shewing that they had acted in that matter according to the method alwayes by them observed in the like cases, and that they had very deliberately examined the then state of the royall burrows and their trade and circumstances, and had been at pains even to search the custome books to know where the increase or decrease of the trade of the nation did lye, and after full informatione did find, as they are ready to make appear, that at least the one haif of the whole trade

of Scotland did center on the town of Glasgow and the other complaining burghs in proportion, and yet the burrows did lodge this deficiency with so much tenderness on the complainers that it was only continued for one year, and farther with this declaration that these burghs should have relief and be reimbursed out of the first effects that should arise from the unfree traders. But the complainers, declining to bring the matter to this fair tryall, and without so much as calling the royall burrows to answer the grounds of their protest, thought fitt rather to address the parliament for a totall innovation of the tax roll of the royall burrows, tho so well settled and constantly practised in Scotland for more then hundreds of years, for the better effectuating whereof they have thought fitt to represent that the manner of the burrows their making their tax roll was wholly uncertain and arbitrary, and that of late that whole affair and the alterations made therein had been managed by a party of caballing designing men amongst the burrows, who, overawing and overruling the rest at their pleasure, had been guilty of many abuses in changing and overcharging the proportions of the royall burrows at their pleasure, as doth more fully and plainly appear by a print called The case of the royall burrows of Scotland—published by these complainers. The royall burrows are far from thinking that the honourable house of commons was anyways influenced by these misrepresentations, but it being also certain that without the true knowledge of the matter of fact no right judgement can proceed, and the complainers having upon the matter either concealed or unfairly disguised the state of that whole affair and the great concern of royall burrows therein, wee must, with all submission, take leave, for relief of so great a hardship so unexpectedly brought upon us, as to informe the honourable house :—

1. That by the ancient constitution of Scotland the royall burrows have alwayes been obliged to pay the sixth part of all publick burdens, whether taxations, supplies, or assessments, to which they are so strictly bound that the whole are lyable *in solidum* for the deficiency of any part, so that the sixth part have been ever secured to the government beyond hazard.

2. That this sixth part of publick burdens was laid upon and undertaken by the royall burrows because they had the sole liberty and

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benefite of all foreign trade, and it was with regard to this priviledge and the advantages arising by it that they were only made lyable to so great a proportion of publick burdens, it being indeed most certain that all the lands, tenements, and hereditaments within the burghs of Scotland are nothing ansuerable to such a proportion of publick burdens, specially if it be considered how little house rents in burghs did of old amount to, and that for any common good belonging to royall burrows it was wholly given and destined for other uses, such as the defraying the necessary expence of ane magistracy for keeping order therein, and for watching, quartering, keeping up of prisons, churches, schools, and others of that nature, and for paying of ministers stipends, schoolmasters fees, attending parliaments, conventions, and severall other emergents needless to be named.

3. The priviledge of trade being then the ground of subjecting the royall burrows to this sixth part of publick burdens there was nothing more just and naturall then that the proportioning of every burghs quota of these publick burdens should be committed to the royall burrows themselves, for trade being known to be a thing ambulatory and subject to such alterations and removes as cannot be ascertained by any rule, what better or other course could be taken then to committ the proportioning of the burden laid on for trade to the royall burrows themselves who were in the first place bound to make up the whole burden and then could not but be best acquainted with the conditione of every particular burgh and with the alterations either of increase or decrease that might happen to them in the matter of trade; nor could it so much as be feared in this case that any party among the burrows could possibly oppress their neighbours, seeing that all of them were bound in the totall, and that if any happened to be opprest the deficiency must recur even upon the oppressors, so that there could not be a fairer method thought on for ane equall and impartiall management of this affair, and therefor it was that by so many acts of parliament the royall burrows were allowed to hold their yearly conventions and that all their acts and orders are so often ratified, and that the setleing and regulating of their tax roll, which was and must still be mutable as said is, was committed to their judgement; and it may be also further observed that, albeit, even by our acts of

parliament before the Union, partialities or gross inequalities in the tax roll might have been complained of to the parliament, yet there never one instance can be given or either protest or appeale from the convention of burrows to the parliament; and tho of late years the wars and other circumstances of publick affaires have rendered trade in Scotland more uncertain and so obliged the convention to a more frequent review of their tax roll then was customary in times past, yet it hath aluayes been managed with great care and exactness, and if any error or overcharge hath happened in one convention it hath been timeously rectified by another; and it is further observable that albeit the complaining touns of Glasgow, Aberdeen, &c., have taken great liberty, as men who judge themselves leised seldom fail to do, to charge their neighbours with ill designes and practises the better to gain their point, yet the charge, specially of designes to influence elections, is not only groundless and improbable but unanimously disclaimed by the whole convention of burrowes now met; but when the complainers take the liberty to say that the convention is under no restraints, albeit they be all known to be men of probatie and also obliged by their oaths *de fidei*, they may take what liberty they will. But

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4. The principall matter to be laid before the honourable house of commons, and which is offered with all possible submission, is that this rule for the tax roll, viz; the estimat and valuation of houses, tenements and rents within burgh, neither was nor could be the ground of subjecting the royall burrows to the sixth part of the publick burdens, and that, if this should now be made the rule, it could not but be attended with more disorders and inconveniencies then can at first be foreseen, and therefore the royall burrows take leave to represent, with all humble defference, that

(1.) Amongst the other signall marks of her Majesties bounty the royall burrows have by the Treaty of Union ane particular article granted in their favours, whereby the whole priviledges of the royall burrows are particularly reserved to them notwithstanding of the Union, by which they are unquestionably secured in all the priviledges that formerly belonged to them or their predecessors, of the which priviledges their pouer of trade and taxing of the trade is reckoned by them one of the most

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valuable and chief, wherein the petitioners do humbly expect alwise to be supported by her Majestie and the honourable house of parliament.

(2.) It is farder represented as hath been said that it was not the estimat or valuatione of lands, tenements, or rents in burghs that was the ground of ther being made lyable to the sixth part of the publick burdens, for that estimat and valuation can never bear any such proportion, but it was truely and principally the priviledge of free trade, which priviledge of free trade was also and must perpetually be the cause of the tax roll it's being mutable, and consequently the judgement thereof in the convention of burrows as the only propper persons to determine in such matters.

(3.) That the priviledge of trade being the true cause of the burden which the royall burrows do bear, it is according to the said royall burrows their share and intrest in trade that the division of the said burden is to be taxed upon them, and to set this division or rule of taxing upon any other foot, or upon their houses, tenements and rents, or the estimat thereof, would infer ane intolerable inequality. The royall burrows will not adventure to advance upon the consequences of this new method, but this may be obvious that it may be the lands, tenements and rents in the burgh of Edinburgh, may exceed in their estimat all the rest of the burghs of Scotland, and yet it is certain that other burghs have by far the greater share and intrest in trade; and, on the other part, the lands, houses and rents in Glasgow cannot amount to any great value, and yet it may be well affirmed that the trade of Glasgow doth much exceed the trade of Edinburgh.

(4.) It may possibly be gathered from this very clause crave to be redrest that, albeit the quota of any burgh will, according to this new rule of valuation, fall to be stated upon the burgh, yet there may be a relief for the burgh upon its own trade and traders; but supposing this should hold good yet it is humbly conceaved that it doth nothing ansuer the inequality that must arise amongst burghs, whereby the more trading burghs will yet bear less of the quota of the publick burdens and the less trading burghs be overcharged by reason of their greater lands and rents; but, farder, it may be affirmed that almost five of six parts of the burghs of Scotland have little or no trade, and here their lands, tenements and rents

must necessarily be overburdened, for which there appears no remedy save that indeed their lands and rents may possibly be little better than their trade.

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(5.) It is also obvious that many more inconveniencies may ensue upon this new method of estimating and valuing and making the same the rule of the tax roll, such as what relief the royall burrows shall have against unfree traders when the tax roll is taken off the foot of trade, and what consideration is to be had of lands and rents within burgh, which for a great part may be found to belong to no traders at all, and may be to persones residing ells where ; but that which the royall burrows do with all humility suggest is that it's visible from what hath been said that this new rule of the tax roll seems nowise agreeable to what hath been the ancient and true grounds of the royall burrows their being burdened and taxed and that it is not likely to be a just and good rule for stating their quotas among themselves, and that also it may occasion more inconveniencies then can at present be condescended on, and therefore upon the whole it appears to be most just and reasonable that this new clause should be altered or amended and the former method continued, at least untill this matter be fully considered and the royall burrows heard upon it as the matter deserved, specially seeing that the manner of assessment upon the royall burrows in proportion to their trade was established by severall acts of parliament of Scotland, particularly act [51st], sess. 3 [4th ?], William and Mary,¹ and act [39th], sess. 7th, King William,² intituled Act anent the Communication of Trade,—so that it is humbly conceived that, before any alteration could have been in the method of assessment, these acts ought regularly to have been repealed, which the clause added to the land tax has not done, nor indeed that clause in the least mentione these acts, and so it may be doubted how far they are yet standing laws, which ought the more easily induce the honourable house to allow the clause with these acts to be considered at any propper occasione. The complainers have so litle cause to complain in the present case, as may be easily made appear, that they have also advanced such objections against the whole convention of burrows as can nowayes be justified, but all craved is that this innovation, that is truly so great and important in itself, may be super-

Draught representation to house of commons approved.

¹ Cap. 51 ; 14th June 1693 (Acts of the Parliaments of Scotland, Vol. IX. p. 315).

² Cap. 39 ; 1st September 1698 (Ibid. Vol. X. p. 176).

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ane address to
Her Majestie
approven.

Address to
her Majestie.

ceeded untill the whole of this affair be maturly considered and digested, specially seeing that the continuing the old method cannot but be more expedient for her Majesties service and the advantage of the government.

8. There being ane draught of ane address to her Majestie presented to the convention, the same was read and unanimously approven and ordained to be recorded and signed be the lord provost of Edinburgh, their preses, in name of the conventione, and transmitted to her Majestie, the tennor whereof follows:—To the Queens most Excellent Majestie. Wee, your Majesties most dutyfull and loyall subjects, the representatives of the royall burrows of North Britain, now assembled at Edinburgh, take this opportunity to beg leave most humbly to congratulat your sacred Majestie upon the many glorious successes of your triumphing armes, quhich have forced your enemies to lay aside their haughty and boundless pretences and to sue for a peace; and tho we, your Majesties subjects in this part of your United Kingdome, have very sensibly felt the effects of the war by the great interruption of our trade and the loss of our shiping, so that the only hopes we have of seeing our commerce againe revived is in the prospect of a happy peace, yet we do, in all humility, assure your Majestie that, so long as you shall judge it necessary to continue the war, no losess shall hinder us cheerfully to adhere to your Majestie with our lives and fortunes, being well assured that, at your tender care and concern for your subjects, the freedome of trade, the intrest of the protestant religion, and the ballance of Europe, were the only motives that induced your Majestie to make war, so your greatest glory and satisfaction will be in ending the same by a just and honourable peace. Now that your Majestie has been graciously pleased to impart to your parliament that there is a treaty set on foot for that end, wee humbly beg leave to assure your Majestie that we intirely relye upon your Majesties most wise and prudent administratione, and that no suggestion of any set of men, at home or abroad, who are enemies to your Majesties government, who delight in war, and whose safety seems to be placed in it, shall ever be able to shake our loyalty and the firm assurance we have that all your Majesties resolutions are for the good and hapieness of your dominions, being fully persuaded that, by your wise conduct, the result of the treaty will be a perpetuall monument of the prudence and justice of your Majesties government and a lasting

blessing to posterity. We do, therefore, with all earnestness put up our fervent prayers to Almighty God that He would give a like glorious suc-
cess to your present negotiations of peace as He has done to your armes, and that as the ballance of Europ in generall, the prosperity, wellfare, and hapiness of your subjects in particular, the intrest of the protestant religion, both at home and abroad, and the succession in the protestant line as by law established, have been hitherto supported by your Majesties victorious armes, so they may be at last established upon the solid foundation of a lasting and a glorious peace which we may justly promise ourselves under so gracious a Queen and so prudent and experienced a ministry; and that your Majesty may long reign over us to be a lasting blessing of your dominions shall be the constant prayer of, may it please your Majestie, [etc.]. *Sic subscribitur* : RO. BLACKWOOD, Preses.

EDINBURGH.
5 February
1712.
Address to
her Majestie.

The convention having thought it their duty on this occasion to address her Majestie, as also to appoint a representation to be made to the honourable house of commons, anent the clause in the land tax bill for ascertaining the proportion of the royall burrows; and considering how necessary it is that one of their number should present the said address and negotiate the said representation before the honourable house of commons, they do therefore nominate and appoint Sir William Johnston of Westerhall, commissioner for the burgh of Annan, to manage the said affaires; whereupon the commissioner for Aberdeen gave in a protestation in writing, and thereupon took instruments in the clerks hands, to which the commissioners for Dundie, Glasgow, Dumfreis, Aberbrothock and Elgin adhered.

Commissioner
appointed to
present
address.

9. Appointed a committee to draw up instructions to the commissioner appointed by the preceding act and give their opinion what money will be necessary for his expenses.

Instructions to
commissioner.

10. Instructed the same committee to draw up answers to the protestations of Aberdeen, Glasgow, &c.

Committee to
draw up
answers.
Committees
opinion.

11. On report by the committee who had drawn up answers as required by the preceding act, the convention resolved that "neither the said protestation nor answers should be insert in the burrow books, but that the said protestation with the answers may be extended by way of instrument by their clerk as a nottar publick."

12. The same day, upon report of the committee to whom it was remitted

Instructions to
commissioner.

EDINBURGH.
5 February
1712.

Instructions to
commissioner.

to draw up instructions to be given to Sir William Johnston, the convention recommended to the said Sir William that, with all possible expedition, he repare to London, and that he present the address to her Majestie with concurrence of such of the representatives of the royall burrows who are members of parliament and willing to assist him therein ; as also that he present the petition sent with him to the honourable house of commons in such manner and with such alterations of the stile as may be most agreeable, by the advice of lawiers, keeping aluayes the substance thereof ; as also that the said Sir William shall correspond from time to time with the committe appointed by the last annuall convention for the unfree trade; and that the said committe receive accounts from the said Sir William of his procedure and return him their advice anent the methods he is to take in the forsaid negociatione.

Expenses of
commissioner.

13. Approved of the committee appointed by the 53d act of last general convention instructing the agent to pay such sums as may be necessary for expences of the commissioner sent to London, and in the meantime to advance to him £100 sterling.

MEETING OF COMMITTEE, *held at* EDINBURGH.

5 March 1712.

EDINBURGH.
5 March 1712.

Sederunt.
Preses.

Edinburgh, John Duncan ; Montrose, Alexander Arbuthnet ; Dumbarton, Sir James Smolet ; Renfrew, John Cochran.

1. Sir Robert Blackwood of Pitrevie, lord provost of Edinburgh, elected preses.

Memoriall con-
cerning trade.

2. The lord provost of Edinburgh acquainted the committe of a letter his lordship had received from Sir William Johnston, now at London, advising that the lord high treasurer was pleased to communicat to Sir William that ane memorial was preparing in relation to trade to be sent from England to the plenipotentiaries at Utricht, and that his lordship expected a memoriall from Scotland to the same purpose ; which being considered by the committe they appointed their clerks to transcrib the memorialls anent trade recorded in the books of convention in the months of November j^m vij^c and seven, March j^m vij^c and ten, and

Aprile j^m vij^c and eleven years, together with ane copy of some observations upon the memorials presented by the said lord provost ; which memorials are to be forthwith transmitted to the said Sir William Johnston and to be imparted by him to the representatives of the royall burrows in parliament, whose assistance he is to crave, that propper applications may be made by them to her Majestie and the parliament anent the forsaid memorials in such manner as by them shall be judged most fitt and expedient for the ends above written ; and the committee desire the said lord provost to write to the saids representatives for the burrows and to Sir William Johnston recommending these important affaires to their care and dilligence.

EDINBURGH.
5 March 1712.
Memorall
concerning
trade.

GENERAL CONVENTION *held at* EDINBURGH.

1 July 1712.

Edinburgh, John Duncan and William Livingston ; Perth, William Austin ; Dundie, George Yeaman ; Aberdeen, John Ross ; Stirling, Collonel John Erskin ; Linlithgow, Alexander Glen ; St Andrews, Alexander Watson ; Glasgow, Robert Rodger ; Air, Robert Moor ; Hadingtoun, David Forrest ; Disart, James Greig ; Kirkaldie, James Oswald ; Montrose, Robert Turnbull ; Coupar, Mr Thomas Hope ; Anstruther Easter, John Cunningham ; Dumfreis, Robert Corbet ; Inverness, Alexander Duff ; Burntisland, George Thomson ; Inverkeithing, Francis Henderson ; Kinghorn, John Aitken ; Brichen, John Doig ; Irving, John Hamilton ; Jedburgh, John Simpson ; Kirkudbright, Hugh Fullerton ; Wigtoun, Patrick Coltran ; Pittenueem, Mr Robert Clelland ; Dumfermling, David Wilson ; Anstruther Wester, John Lyell ; Selkirk, Andrew Wauch ; Dumbarton, Sir James Smollet ; Renfrew, Mr John Cochran ; Dunbar, William Fall ; Lanark, John Russell ; Aberbrothock, George Ochterlony ; Elgin, George Innes ; Peebles, John Frier ; Craill, George Drummond ; Tain, John Ross ; Culross, Mr Charles Cochran ; Bamf, Sir Alexander Ogilvie ; Whithern, John M'Govan ; Forfar, Alexander Jaffrey ; Rothesay, Archbald Stewart ; Nairn, Alexander Falconer ; Forras, George Brody ; Ruthglen, William Spence ; Northberwick, James Miller ; Cullen, Mr John Philp ; Lauder, George Lawder ; Kilrenny, James Peacock ; Annan, Sir William Johnston ; Lochmaben, George Kennedy ; Sanquhar, Abraham Crichton ; Newgallaway, John Hog ; Dinguall, Mr Kenneth Bain ; Queensferry, John Hill ; Fortrose, Alexander Baillie ; Kintoir, Robert Bruce ;

EDINBURGH.
1 July 1712.
Sederunt.

EDINBURGH. 1 July 1712.	Inverurie, John Fergusson ; Inverarie, James Campbell ; Kirkwall, Andrew Young ; Inverbervie, William Naper ; Stranraer, James Dalrymple ; Campbeltoun, Mr James Conisone. (Dornock and Wick, <i>blank</i>).
Sederunt.	
Preses.	1. Sir Robert Blackwood of Pitrevie, lord provost of Edinburgh, elected preses.
Committee.	2. Appointed committee to revise the commissions.

2 July 1712.

Commissions approven.	3. Approved of the whole commissions presented by the burghs, except Wick, for which there were two commissions, the consideration whereof was again remitted to the committee.
Committee.	4. Remitted to a committee to consider the missive and the acts of the general convention in January last.
Heads of mis- sive continued.	5. Appointed certain articles to be heads of next general missive.

3 July 1712.

Act for making provision for the poor.	6. The convention, considering the sixth article of the missive relating to the poor, and finding that no effectuall course has been hitherto taken for executing thereof by most of the burrows, and also considering that it is very destructive to the intrest and policie of the royall burrows that such numbers of idle and poor strangers are lodged and entertained amongst them, therefore they do hereby appoint and ordain that each burgh shall report their diligence to the next generall convention of their puting of the acts of parliament made anent regulating of the poor to due executione, and that each burgh who shall failzie to do the samen shall not only be reckoned accessory to the incouragement of the vagrant persons, to the prejudice of their burghs, but also be otherwise fined as the generall convention shall think fitt ; and, to make this more effectuall, the convention recomended to the severall burrows to make due provision for their own poor conforme to the acts of parliament made thereanent ; and appointed this act to be printed and sent to each burrow that the same may be read quarterly in their toun counsell.
Memoriall, skinnners of Edinburgh.	7. Remitted to a committee to consider a memoriall from the magistrates and incorporations of the skinnners and furriers of Edinburgh anent a process depending before the lords of counsell and session at the instance of M'Millan, fletcher in Mussleburgh, against them.
Land tax act.	8. Resolved to consider act of parliament anent land tax on Tuesday next.

9. Remitted to a committee overture by Dundee anent signing the minutes of convention. EDINBURGH.
3 July 1712.

10. The convention "unanimously resolved to address her Majesty anent the near prospect of a peace" and remitted to a committee to prepare the draft. Anent signing minutes.
Address to her Majesty.

11. Compeared Hugh Thomson and William Mitchell, merchants in the burgh and barrony of Doun in Monteith, for themselves and in name and behalf of David Fergusson, Archbald Murdo, Hary and David Muires and Patrick Bain, merchants in the said burgh, conforme to their commission, and renounced the communication of trade granted by the committe of the burrows to them and protested that they might be free of their proportion of the tax roll from the date of this renunciation, and thereupon tooke instruments in the clerks hands ; to which it was answered by Mr George Smollet, agent to the royall burrows, in name of the said convention, that the toun of Doun was still subject and lyable to what taxes are or should be imposed on them by the royall burrows, in respect of their having once accepted of the communication of trade, conforme to the act of parliament j^m vj^c and nynty three, and being in use of payment of the taxes imposed on them by the said convention, according to the act of parliament j^m vj^c and ninty eight ; and that, seeing the convention did not receive the said renunciation nor discharge the contract whereby they accepted of the communication of trade, the same toun must continue still subject to the determination of the convention in the same way and manner as other burghs of barrony and regality who have accepted of the communication of trade. Communica-
tion of trade
renounced by
Doun.

5 July 1712.

12. The convention, upon report of the committee appointed to consider ane overture given in by the commissioner for Dundee anent signing the minuts of the convention, appoint and ordain that the minuts of each days sederunt shall in all time coming be first read over and considered in the immediat following days convention and then signed by their presses before the convention proceed to any other business, and that all overtures be made in writing, and petitions first presented in convention and by them committed to the severall committees and thereafter reported by the committees to the convention. Minutes of
each day's
sederunt to
be signed.

EDINBURGH.
5 July 1712.

Draught of ane
address agreed
to.

Address to her
Majestie.

13. The convention, upon report of the committee appointed to prepare the draught of ane address to be presented to her Majestie in view of the treaty of peace, agreed to the said address and appointed the same to be signed by the lord provost of Edinburgh, their preses, in their name, and transmitted by his lordship to Sir Patrick Johnston, representative in parliament for the toun of Edinburgh, to be by him presented to her Majestie, the tennor whereof followes :—Unto the Queens most excellent Majestie, the humble address of the representatives of the wholl royall burrows of North Britain, mett in their annuall convention. May it please your Majestie : The comfortable and rejoycing prospect of ane safe and honourable peace, by the blessing of God upon your Majesties endeavours, whose royal prerogative it is to make peace and war, and the prosperity of your armes, with your gracious and royall condescendence of communicating to your subjects the terms thereof, cannot but be most acceptable to all good men and in particular to your royall burrows. The glorious design which your Majestie upon all occasions manifested to secure our religion and liberties, the protestant succession in the illustrious house of Hannover, and to provide for the safety of your alies, and to procure ease and reliefe to your Majesties dominions of their heavy burdens, with the enlargement and extention of their trade and commerce, do lay the strongest obligations upon us to the uttmost degrees of loyalty and obedience which we firmly resolve to express by all the acts of duty and gratitude. That your Majestie may happily finish that great and good work, to the generall peace and satisfaction of all your Majesties good subjects and allies, and that you may long live to reap the fruits and effects thereof and hold the ballance of Europe in your royall hands, and after a long glorious and happy reign you may receive ane eternall croun of glory, are and shall ever be the most fervent prayers of, [etc.]. *Sic subscribitur* : RO : BLACKWOOD, preses. And the convention humbly intreats that his grace the Duke of Argile, or the right honourable the Earle of Mar, would honour them by introducing Sir Patrick Johnston to her Majestie with the said address, and recomended to the lord provost of Edinburgh to write to the said Sir Patrick accordingly.

7 July 1712.

EDINBURGH.
7 July 1712.
Anent prizage
wine.

14. The convention, upon report of the committee, having considered that the affair of the prizage, which is one tun of wyne of ten tuns or more and below twenty, and tuo tuns of twenty or more, which is exacted by the commissioners of the customes from all the merchants in North Britain, is a matter of generall concern to all the burrows, therefor the convention appoint the burrow agent to continue his concurrence with the merchants in the said matter now depending before the barrons of exchequer; but, as to the matter of expence, superceeded to determin therein untill such time as the merchants give in their accompt to the convention.

15. Adjourned, till Wednesday next, consideration of the double election from Wick. Election from Weik.

16. The convention, upon report of the committee to whom the consideration of the memoriall from the magistrats and incorporations of the skinnners and furriers of Edinburgh was remitted, finding that the said incorporations have, by immemoriall custome and by their seall of cause, by acts of burrows in their favours, and by ane charter under the great seall, all ratified by act of parliament, the priviledge of obliging the landward butchers to bring in the skinns with the bulks and sell the saids skinns in open mercat, yet the butchers in Musleburgh have indeavoured to wrest from the said incorporations the said priviledge, by raising a declarator before the lords of session concluding that they may sell their skinns or not as they think fitt, albeit the mercat prices be offered, which will be a great prejudice to the said incorporations, fand this was of generall concern to the whole burrows, tending to the subversion of their priviledges, therefore appointed their agent to concur with the said incorporations to get justice done them in the said affair. Act in favours of the skinnners of Edinburgh.

17. The convention, having heard and considered the acts of the convention in February last, did find that there was ane commission granted by the said convention to Sir William Johnston of Westerhall to repare to London and negotiat affaires of the burrows there, and having considered a report given in by the said Sir William of his said negotiation, together with a memoriall for the burrows presented by him to Mr Speaker and severall of the members of the house of commons, with Sir William Johnstons negotiation at London.

EDINBURGH.
7 July 1712.

Sir William
Johnstons
negotiations
at London.

another memoriall given in to the commissioners of trade, did find that Sir William hath faithfully execute the said commission, and ordained Sir Robert Blackwood, lord provost of Edinburgh, their preses, to give Sir William thanks in their name, which he did accordingly, but the commissioner for the burgh of Aberdeen [protested against liability for expenses, to which protest the burghs of Perth, Dundee, Glasgow, Dumfreis, and Aberbrothock adhered].

8 July 1712.

Tax roll.

18. After some reasoning on the land tax act, the convention adjourned till tomorrow, when they are to consider the rule of making up the tax roll.

9 July 1712.

Commissions
from Week
rejected.

19. The convention having considered the double election of a commissioner from the burgh of Weik to this convention, after much debate thereon it was put to the vote: Reject both commissioners or not, inregard neither of the commissions were agreeable to the plan; and it caryed Reject both commissions. And the convention, in order to reconceall the tuo parties of the said burgh of Weik, nominat the burghs of Aberdeen, Stirling, Inverness, Dumbarton, Tain and Banf, or any three of them, as a committe to meet and adjust the said differences with their first conveniency and report to this convention.

Tax roll.

20. The convention having read the clause in the act of parliament appointing a method for making up the tax roll of the severall royall burrows, and after a great dale of reasoning thereupon, and severall difficulties proposed thereanent, and it having been moved that a committe be appointed to consider in what terms they can most effectually obtemper the act of parliament and draw up a scheme thereof, they proceeded to the vote: Consider the way of procedure in taking up the valuation of the severall royall burrows in the convention, or Remitt the same to a committee—it caryed that the same should be considered in the convention. But before the said vote John Cunninghame, commissioner for the burgh of Anstruther Easter, gave in a protestation in writing and therupon tooke instruments in the clerks hands.

10 July 1712.

21. Remitted to a committee (1) memorial by two merchants in Edinburgh EDINBURGH.
“complaining of Captain Chamberlains having refused to take their ships under 10 July 1712.
his convoy unless they would give him ane hundred pounds sterling, with the Convoy,
great lose they sustained thereby ;” and (2) “complaint given in be the commis- cruizers.
sioner for Aberdeen against the cruizers upon this coast for not observing the
orders given by the lord provost of Edinburgh.”

22. Remitted letter given in by the commissioner for Peebles to a com- Peebles.
mittee and recommended them to lay the complaint before the commissioners of
her Majesty’s customs.

23. Remitted to the same committee a petition from the burgh of Inverness. Inverness.

24. The convention having heard the clause in the act of parliament Overture anent
imposing the land cess, for ascertaining the proportion of the severall the land tax.
royall burrows of Scotland in the tax roll, againe read in their presence,
and after a great dale of reasoning thereupon and a great many different
sentiments in application of the said clause, the commissioner for the
burgh of Newgalloway gave in the following overture, viz:—That seeing
the royall burrows are not all of the same opinion as to the import of the
act of parliament in the estimat appointed to be made of their rents and
houses for ascertaining of their tax roll, that, in the first place, and for
setling a good understanding amongst them and facilitating of the whole
matter, there should be ane agreement as to the manner of the applica-
tion of the act of parliament, that no prejudice may be incurred by any
of the saids burrows who have not rightly understood the said act ; and
the vote being stated : Approve of the said overture or not—before the
convention proceeded to the said vote the assessor for the burgh of Glas-
gow protested against the said overture inregard that in his opinion he
did not only retard but was contrary to the designe of the act of parlia-
ment, and thereupon tooke instruments in the clerks hands,—to whom
the commissioner for the burgh of Dundie adhered, and the commissioner
for the burgh of Newgalloway protested, in the contrare, that in his
opinion the same did rather tend to facilitat execution of the said act, and
thereupon tooke instruments in the clerks hands, to whom the commis-
sioners for the burgh of Edinburgh adhered. Thereafter, the commissioner
for the burgh of Dundie produced the valuation of the said burgh in

EDINBURGH.
10 July 1712.
Overture anent
the land tax.

presence of the convention, quhich he said was in the terms of the act of parliament imposing the land cess, and desired the same might be considered by the convention, and thereupon tooke instruments in the clerks hands, to whom the commissioners for the burghs of Perth, Culross, (*blank*) adhered ; and the said commissioner for Dundie desired liberty to give in his said protestation in writing. Thereafter the convention proceeded to the vote : Approve of the said overture or not,—and caryed Approve. And the said commissioner for the said burgh of Dundie tooke up his said valuation.

11 July 1712.

Overture as to
petitions, &c.

25. The commissioner for the burgh of Stirling made the following overture, viz., That all petitions, memorials or representations, to be presented in the convention be first shown to their preses before the same be read in convention ; which being considered by the convention they approved thereof and appointed the same to be observed in all time coming.

Dunbar.

26. Remitted to a committee to consider and report on petition from Dunbar and state of the process therein mentioned.

Act as to
agents ac-
compts.

27. The commissioner for the burgh of Craill gave in the following overture, viz., That it be declared by ane act of the royall burrows that the agents accompts shall only and after this be received off his hands in open convention, and that his accompt and instructions thereof lye at least three days upon the table before the convention proceed to the consideration of them, and he or his servant during that time attend in the convention roome ane hour before the convention and as long after the adjournment, to the effect every member may inspect the same and excerpt out thereof what he pleases, that he may be ready to give his judgement of them to the convention ; and it is further declared that the agent be obliged, under the pain of deprivation, to give copies of the accompts of the missive dues and how the same is discharged, to any burrow who shall require the same, upon payment to the agents servant of what gratuity the convention shall think fitt ; which, being considered by the convention, they approved thereof and appointed the same to be

observed in time coming, and ordained the agent to bring in his accounts against the next meeting of the convention. EDINBURGH.
11 July 1712.

28. The convention, having heard read the clause in the land tax act as to proportions of the several royal burghs in the tax roll, the commissioner for Dundee produced again three principal valuations of the burgh, and "thereafter the convention, having heard a great dale of reasoning anent the said clause," adjourned the farther consideration thereof till next meeting. Valuation of Dundie produced.

12 July 1712.

29. Remitted to a committee petition from the commissioner of Irving. Irving.

30. Referring to the 14th act of this convention they allowed £50 sterling as in full of all that the merchants could claim for expenses in proceedings "anent prizage wine." Prizage wine.

31. After some time spent in again considering the clause of the land tax act for ascertaining the proportion of the royal burghs in the tax roll, "it was generally agreed to take the opinion of her Majestys advocate" thereon. Land tax act.

14th July 1712.

32. Having heard the minutes of the last days sederunt, and particularly that part asserting that it was generally agreed that the opinion of her Majesties advocate should be taken, the assessor for Glasgow protested against the verity of that minute, but being put to the vote it was carried resolved to agree. Protest against verity of minut.

33. Anent the memoriall of David Anderson and William Cochran, merchants in Edinburgh and ouners of the ships and cargoes called the Margaret of Leith, the Jean of Aloa, and the James of Aberdeen, to the convention, shewing that in the month of September j^mvij^c and eleven, albeit they did wait upon Captain Chamberlain, commander of her Majesties ship the Ruby, desiring that he would convoy the memorialists said vessels himself, or order the Scarsborough or Queensborough, tuo frigots under his command, to conduct them safe from Gottenburgh in Sueden to the Firth of Forth in Scotland, yet the said Captain Chamberlain refused the said desire unless one hundred pounds sterling money were payed to him, whereupon one James Anderson, the memorialists factor, did draw a bill for ane hundred pounds sterling on John Low, merchant in London, payable to the said Captain, and delivered the same to him, who there- Address to her Majestie, convey of ships.

EDINBURGH.
14 July 1712.
Address to her
Majestie, con-
voy of ships.

upon gave sailing orders to the masters of the said three ships to observe during their voyage ; but so it is that, notwithstanding of the forsaid agreement, the said Captain Chamberlain and the men of war under his command tooke no nottice of the saids ships under their convoy but left them to the mercy of their enemies about twenty five leagues from Yearmouth, who were a few hours thereafter taken by a small French privateer of six guns and caryed in to Dunkirk, not having the liberty of ransoming the same, their cargoes being navall stores, to the great loss and ruine of the memoralistis and their families, the value of the saids ships and cargoes amounting to tuo thousand eight hundred pounds sterling, craving therefore the convention would take their case to their serious consideratione, and by ane address or petition lay the same befor her Majestie in such manner as to them should seem proper, and to pray that her Majestie would grant such relief to them in the premisses as to her Majestie in her great wisdom should seem good. Which being considered by the convention, they fand the saids three ships and cargoes were taken through the fault of the said Captain Chamberlain and caryed to Dunkirk, and agreed that ane address be made by the convention to the Queen in favours of the memoralistis, intreating her Majestie would grant such relief to them in the premisses as she in her great wisdom should think fit, providing alwayes the said address be upon the expences of the memoralistis and others concerned ; and thereafter the draught of ane address relative to the said affair was presented by the commissioner for Newgalloway, and being read in convention was committed to the commissioners for the burghs of Glasgow, Kirkaldie, Couper, Culross, Newgalloway and Dumbarton, whereof the major part a quorum to consider and report to the convention.

Merchants and
gildrie of
Inverness.

34. Anent the petition from the merchants and gildrie of the burgh of Inverness, shewing that, there being some herrings taken in the Murray Firth, there is a greater use for coupers then formerly, without which the said fishing would prove ineffectuall, to the great loss not only of the said burgh but also to all the neighbouring burrows in the said firth ; and albeit there is no mention of any priviledge given by the sett of the said burgh to the coupers but to the wrights thereof, yet the coupers, pretending to be incorporat with the wrights, will not allow any other

coupar to reside or work within the said burgh; craving, therefore, the convention would consider the sett of the said burgh and give direction how to proceed against the said coupers in the said matter and for inbringing of other coupers as shall be found necessary for encouragement of the said trade of fishing. Which being considered by the convention, they found it did not appear by the sett of the said burgh that the coupers there are incorporat, and, albeit they were, that the magistrats may interpose their authoritie to bring in as many coupers to the said burgh as the trade of fishing does require, and that without consent of the touns coupers, inregard the said trade of fishing is so valuable a branch of the trade of the nation; but William Livingston, one of the commissioners for the burgh of Edinburgh, before the vote, protested that the priviledges of the incorporations might be preserved and parties first heard.

EDINBURGH.
14 July 1712.
Merchants and
gildrie of
Inverness.

35. Anent the representation from the magistrats of the burgh of Irving, for themselves and in name of the counsell of the said burgh, shewing that the saids magistrats have not only a full jurisdiction over their own inhabitants but power to repledge any of them when cited before any other judicatur, yet of late three or four of the justices of the peace in Kyll and Carrick, upon pretence of executing the laws made against the importation of Irish victuall, have convened the inhabitants of the said burgh before them, which was sometime at a great distance from the burgh, and gave sentence against them notwithstanding the touns decreet was produced to instruct the cause was formerly judged by the magistrats, and that likewise their chartor was produced to instruct the priviledge of repledgation; the forsaid sentence was suspended, and the letters since found orderly proceeded, which now hath encouraged the said justices so that they still go on to vex the inhabitants of the said burgh; craving therefore the convention would prevent the utter ruin of the said poor burgh, seeing, as they have effectually stoped the importation of Irish victuall within their bounds since August last, so they promise to take effectuall methods to stop it in time coming, and shall to the utmost of their power see the laws made thereanent put to full execution; which being considered by the convention they recomended and hereby recomend to the burghs of Glasgow, Air, and Dumbarton, or any tuo of them, to indeavour ane adjustment of the differences between the

Magistrates of
Irving and
justices of
Kyll and
Carrick.

EDINBURGH,
14 July 1712.

said justices and the toun of Irving, and report to the next annual convention.

15 July 1712.

As to opinions
given in by
members and
reports.

36. It was unanimously agreed to by the convention that every member have full power to give in his opinion, *viva voce* or in writing, concerning every affair, though committed and approved by the committee, unto the convention, to be read by their clerk and put in opposition to what is done in the committee, and that no report from the committee be voted in that convention but to lye upon the table untill the next days convention, and that the committee give the grounds of their opinion and the reasons they proceeded upon, and that every overture given in to the convention shall lye on the table till it get a second reading in the next meeting of the convention, before it pass into ane act, notwithstanding of any practise or act in the contrare.

Kirkaldie,
customs.

37. Remitted to a committee representation from Kirkaldie "complaining of severall grievances occasioned through many exorbitant exactions made by the officers of the customes."

Tax roll.

38. Several queries relating to the tax roll, with the answers of her Majesty's advocate, were read.

Edinburghs
valuation
given in.

39. John Duncan, dean of gild of Edinburgh, did, in pursuance of the late act of parliament, give in to the convention ane estimat of the true and reall rent of the severall tenements, burrow roods, milns, fishings, and other hereditaments, which are or have been subject to pay cess in the said burgh, in which estimat the waste tenements are not included, and the necessary deduction for reparations are made, and declared this was the same scheme that was given in by the valuator according to the true sense and understanding they had of the act of parliament, but, in case the forme thereof shall not be found to quadrat and agree with the rule set down by the act of parliament, the said John Duncan did protest, in name of the good toun, that they should incur no hurt or prejudice thereby, in respect they are most willing and ready to give all due obedience to the said act of parliament in all points, and thereupon tooke instruments in the clerks hands.

Immediately thereafter, John Ross, commissioner for Aberdeen, and Thomas Smith, commissioner for Glasgow, protested, in name of themselves and such as should adhere to them, that the estimat given in by the dean of gild of Edinburgh did plainly appear not to be in the terms of the act of parliament for the reasons which they should assigne before the next meeting of the convention, which are as followes: First, that the said estimat was so far from being ane exact account in writing of the true and reall rent of the severall lands, tenements, milns, fishings, and other hereditaments which are or have been subject to pay cess in the toun of Edinburgh, that it contained only the gross sum of the amount of the saids lands. *Secundo*, That by the dean of gild of Edinburghs protest, it is expressly ouned that, in the said estimat given in by him, allowance had been made by the valuators for reparations, which by act of parliament they are noways warranded to do, otherwise the certainty of the rule prescribed by the act of parliament must by such discretionary deductions be entirely eluded. *Tertio*, Because it is likewise ouned, in the protest forsaide that the said estimat contained no account of the waste lands, through which defect the forsaide estimat becomes not to be a just and true valuation of the reall rents of all the lands, tenements, hereditaments, taxable within the burrows in the terms of the act of parliament. Upon all these considerations, they craved that the toun of Edinburgh, and all the other burrows, may give in ane exact account in writing of the true and reall rent of the severall lands, tenements, milns, fishings, and other hereditaments that are or have been subject to pay cess in their respective burrows, according to the express words and plain meaning of the act of parliament, and thereupon tooke instruments in the clerks hands, to whom the commissioners for the burghs of Perth, Dundie, Dumfreis, Aberbrothock, Culross, Forfar, and Stranraer adhered. Thereafter the convention appointed the respective burrows to give in their valuations, conforme to the act of parliament, against their next daiet.

EDINBURGH.
15 July 1712.
Aberdeen
and Glasgows
protest.

16 July 1712.

40. One of the commissioners for Edinburgh protested that he might have liberty to give an ansuer to the protest taken yesterday by Aberdeen and Glasgow. Protest,
Edinburgh.

EDINBURGH.
16 July 1712.
Valuations
given in.

41. The haill burrows gave in their valuations, except Edinburgh and Dundie, who had formerly given in, as also excepting the burghs of Jedburgh, Dunbar, Lanerk, Elgin, Banf, Cullen, Dingwall, Dornock, and Fortrose, who were not ready; all which valuations being read in convention were remitted to the committee for revising the missive to consider and report to the convention, reserving to every member of the convention to speak and vote in the said affair.

Answers by
Edinburgh
to Aberdeen
and Glasgows
protest.

41^a. [The following answer to the protest of Aberdeen and Glasgow was given in by one of the commissioners for Edinburgh:—] Adhereing always to my former protestation, it is further answered that the estimat presented by the toun of Edinburgh is supposed to be in the terms of the act of parliament, since the ends thereof are thereby obtained by giving a full account of the quota, and that the commissioner for Edinburgh is willing likewise to exhibit the particular estimats so soon as the samen can be prepared by the valuators and reduced to forme, it being of a large extent and will take up a considerable time before it can be transcribed. As to the second, it is answered that as by the forsaid act of parliament the free rent is only to be valued, so it's hoped it shall be the opinion of the convention that necessary reparations ought to be defalcet. To the third, it is answered that the waste tenements pay no rent and so cannot be valued, but if the parliament shall think fit to appoint the waste lands to be valued the particular account shall be exhibit accordingly.

17 July 1712.

Valuations
given in.

42. The commissioners for the burghs of Jedburgh, Elgin, Banf, Cullin, and Fortrose produced the valuations of their said burghs in presence of the convention, and the commissioner for the burgh of Aberdeen protested that such of the royall burrows as had not given in their valuations should be lyable to the certification contained in the act of parliament.

Report anent
valuations,
with protesta-
tions thereon.

43. The committe to whom it was remitted to consider the estimats or valuations given in by the severall burrows reported to the convention that they, having met and spent some time in the said matter, came to the following resolutions: Primo, that each burgh bring in a special estimat or valuation of the true and reall rent of all the lands, tenements, burrow roods, milns, fishings, and other hereditaments

which have been in use to be taxed within the severall burrows, and that a certain reasonable time be allowed to such burrows as have not brought up the said speciall estimat. *Secundo*, that the said estimat contain all the waste houses blank be themselves. *Tertio*, that each burgh bring into the convention the true and reall rent of all the lands, tenements, burrow roods, milns, fishings and other hereditaments within the severall burrows, without deduction of anything for reparations, but when the reall rent is thus brought in the committe are of opinion that a discount of twenty five per cent be allowed out of the sum total of the said lands tenements, burrow roods, milns, fishings and other hereditaments in lue of reparations. Which report being read in convention and the vote being stated : Approve of the committe's report, or not,—it caryed Approve. But, before the said vote, the commissioner for the burgh of Dundie gave in the following protestation and thereupon took instruments in the clerks hands, and the commissioners for the burgh of Edinburgh having craved liberty to answer the said protestation gave in the saids answers. Accordingly followes the said protestation and answers :

EDINBURGH.
17 July 1712.
Report anent
valuations with
protestations
thereon.

Whereas by act of parliament ane estimat and valuation according to the reall rent is appointed to be drawn up of the severall lands tenements, milns, fishings, and other hereditaments which are taxable within the severall burghs, and these estimats and valuations are appointed to be given in to the generall convention in July instant, and are appointed to be the rule by which the convention shall ascertain the proportion of each burrow in the stent roll, we, the commissioners for the burghs of Perth, Dundie, Aberdeen, Glasgow, and Dumfreis, for ourselves and in name of all others who will adhere to us, having our valuations of the reall rent of all our hereditaments taxable within our severall burrows justly taken up, according to the plain words and meaning of the act of parliament, without any deduction whatsoever, and having given in our said valuations to the convention, and finding that the good toun of Edinburgh and the commissioners of some other touns have only given in ane abreviat of their valuations and hitherto delayed the giving in of the particular valuation to which the abreviat relates, as also that the toun of Edinburgh have acknowledged by a protest, taken by their commissioner when the abreviat was given in, that their waste houses are not

EDINBURGH.
17 July 1712.
Report anent
valuations with
protestations
thereon.

included and the necessary deductions for reparations are made, and likewise do insist to make severall dilatory proposalls, expressly inconsistent with the plain words and meaning of the law, we, therefore, requir the commissioners of the said toun of Edinburgh, and all ther commissioners of the burrows that have not given in their particular valuations, that now, after so long delay, they would do it, to the effect the proportioning and payment of her Majesties cess may not be retarded or any inconveniency fall upon the burghs we represent by these delays, and we shall hope that the convention may think it their intrest to observe the law according to the precise words, intent and meaning thereof, for their doing otherwise or puting commentaries upon the words of the law that are so plain, or making proposalls which we think inconsistent with the law, may be understood to be a doun right contrivance rather to evade than observe the law. It's none of our designe to bring any burden upon the good toun of Edinburgh, or any other toun, but we must first know the rule and see ane equality in all the valuations, for if one burrow shall make a just and true valuation of all the reall rents, and another ane imaginary valuation with deduction at their pleasure, our compliance in that matter would be understood ane elieding of the law. Wee, therefore, do protest that no proposals or other overtures anent waste houses, deductions for reparations, ministers stipends, or any other proposals relating to these valuations, prescribed by act of parliament, shall be received or treated upon in the convention till first a true and reall valuation of the whole burrows be first known, and thereafter a generall course taken by the convention for such like proposals so far as they are consistent with the act of parliament. . . . To the which protestation the commissioners for the burghs of Dumfreis, Craill, Culross, Elgin, Forfar, Aberbrothock, Couper, Inverbervie, Fortrose, Kirkwall, Renfrew, and Stranraer adhered.

To which it is answered, passing by the narrative wherein the protesters pretend to explain the act of parliament, that the generall convention ever since their meeting have imployed themselves to understand the true sense and meaning thereof, and have made many propositions for that end which nothing has so much defated as the methods taken by the protesters, who will agree to nothing which may compose their

differences but continues to increase them by repeated protestations ; whereas the convention in generall have the greatest inclinations to concord and amity and in all their procedure have evidenced their willingness to answer the ends of the forsaid act of parliament and to comply therewith ; but because the convention cannot go in to the measures of four or five protesters, with a few adherers, and admitt of the glosses they make upon the act of parliament, therefore the protesters make all this noise. However, it's hoped the convention will continue to proceed in such manner as will express their duty and loyalty to her Majesty and obedience to the said act, their tenderness to the customes of their forefathers and priviledges of the royall burrows established by many laws and reserved and confirmed by the Treaty of Union, and therefore they protest to the contrare of all these groundless insinuations offered to their prejudice. To which ansuers the commissioners for Stirling, Linlithgow, St Andrew, Air, Disart, Kirkaldie, Montrose, Inverness, Burntisland, Inverkeithing, Kinghorn, Irving, Jedburgh, Kirkudbright, Wigtoun, Piteneuem, Selkirk, Dumbarton, Dunbar, Lanerk, Peebles, Whithern, Nairn, Ruthglen, Lauder, Annan, Lochmaben, Sanquhar, Newgalloway, Dingwall, Kintoir, and Inverurie adhered.

EDINBURGH.
17 July 1712.
Report anent
valuations with
protestations
thereon.

44. The commissioner for the burgh of Stirling gave in the following overtur, viz., That in regard it appears by the severall schemes given in that a great part of the royall burrows had different views and understandings of the meaning of the act of parliament made for laying on the proportion of the tax roll, and that it will take up a long time before the same be adjusted, whereby her Majesties service may be retarded and the supply not raised in due time to answer the exigences of the government, therefore it is humbly overtured that ane advancement may be made of the supply due to her Majestie by the royall burrows as they payed last year, and that in the meantime application be made to the parliament of Great Britain for explaining the forsaid act of parliament that so all due obedience may be given by the royall burrows thereto and the cess equally proportioned amongst them according to the design of the said act. It was likewise overtur'd by the commissioner for the burgh of Forres that the good toun of Edinburgh should pay the four pounds of the tax roll which was proportioned among some particular

Overtures as to
land tax.

EDINBURGH.
17 July 1712.
Overtures as to
land tax.

Act anent
linnen cloth to
be printed.

burghs at the last convention. Which overtures having been read in the convention they resolved they would take the same to their consideration tomorrow at ten o'clock.

45. The convention appointed the act of this current parliament, intituled Ane act to prevent abuses in making of linnen cloth and regulating the length, breadth, and equall sorting of yarn for each piece made in Scotland and for whitning of the same—be printed and twelve hundred copies thereof be cast off.

18 July 1712.

Lanerks
valuation.

46. The commissioner for Lanark gave in the valuation of his burgh and protested that, it being without any deduction, whatever allowance be given to others they might have the benefit of the same.

Committe to
bring in schem.

47. Appointed a committe to bring in a scheme by which the proportion of the royall burrows shall be ascertained in the tax roll for the year 1713 and in all time after.

Overtures as to
land tax,
protestations
and answers.

48. Thereafter the convention having taken into their consideration the forsaid overtur given in by the commissioner for the burgh of Stirling, and the vote being stated Approve of the said overture or not—it caryed Approve. But, before they proceeded to the said vote, the assessor for the burgh of Glasgow gave in the following protestation, and thereupon took instruments in the clerks hands. The commissioners for the burgh of Edinburgh having craved liberty to answer the samen gave in the said answers.

Accordingly followes the protestation: The commissioners for the burghs of Perth, Dundie, Aberdeen, Glasgow, Dumfreis, Forfar, Aberbrothock, Culross, Craill, Elgin, Stranraer, Kirkwall and Fortrose, protested against the overture, in name of themselves and these who should adhere to them, for the reasons following:—First, because the advancement of the cess by the royall burrows in any other proportion then that of the reall rent of each burrow is, in their opinion, contrare to the plain meaning of the act of parliament, and they do not apprehend they can be legally warranded to lay any tax upon their inhabitants if the generall quota of their burrow be not ascertained after the manner prescribed by the land tax act for the year j^m vjj^c and twelve.

(2) Because they conceive the approving such ane overture directly to imply a suspension of their obedience to the forsaid act, which expressly ordains the estimat of the rent to be the rule for making the tax roll at the convention July j^m vjth and twelve, which the different views of the meaning of the act alledged for the necessity of the overture can in no measure justifie.

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Overtures as to
land tax,
protestations
and answers.

(3) Because her Majesties service could have met with no delay had the toun of Edinburgh and some others of the burrows readily complied with the act at the beginning of the convention by giving in their estimats, as was frequently desired by the protestors, yea, even at this time the raising of the cess would not be retarded if the plain words in the act of parliament were followed, and if cavills and scruples were not raised about the meaning of plain words which no one before this ever doubted of.

(4) Because even ignorance of the law cannot at any time be alledged for the not observing of it; much less, in this case, cannot be pretended of ane act made about six months agoe, nor ought the doubts of some members be sustained as a reason to suspend the execution of the law, when ther is but too just cause to suspect these doubts flow rather from ane unwillingness to obey it then from any grounds which the law itself can be said to furnish them with. The commissioners forsaid further protested, in name of themselves and these who shall adhere to them, against the commissioners of the toun of Edinburgh and all these who shall approve this overture, that the approvers may be lyable for all cost, skaith and dammage, which the protesters, or their burrows they represent, may or can sustain by the suspending of the execution of the act forsaid, seeing they, the protesters, have fully obtempered the act of parliament by giving in, to be recorded by the convention, a true and just estimat of the reall rents of the severall lands, &c., taxable within the respective burrows, according to the plain meaning of the act of parliament, which they find no reasone to doubt of, and by which estimat they crave to have their quotas of the tax ascertained.

Followes the answers to the said protestation: To the reasons therein mentioned, which are here holden as repeated for brevitie cause, the generall convention are of different opinions from the protesters; for,

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in the case of difficulty and doubt concerning the meaning of ane new law, they think it their duty to apply for explanation, which it is hoped will be allowed by the parliament of Great Britain, and it is unjust for the protesters to call it a suspension of the act when, upon the contrare, the ends thereof are obtained by the payment of the supply in due time for answering the exigences of the government.

(2) The protesters do still repeat the same things, to multiply words to no purpose, but the convention does proceed in their dutyfull obedience, whereof the said overture generally agreed to is a solid demonstration, and is also agreeable to the opinion of her Majesties advocat, who has by the unanimous acquiescence of the convention appointed to address in this matter, and his lordship does propose that untill the convention come to get farder light in this matter it is propper they should take care of paying up the supply.

(3) How can these protesters pretend lesion by the overture proposed, which tends so much to the removing of all debates and imposes nothing to their prejudice, but in all humility waits the parliaments particular directions in this matter which shall be most dutyfully obeyed and complied with.

(4) Passing by the reflections of ignorance and many others, by which these protesters have been pleased in their writings and speeches to upbraid their fellow members, it is answered that this is not the first time that doubts have fallen in anent the meaning of new laws, of which there is one very plain instance, act 22d chapter 2 cap. 4, where the clause of the act of parliament of England having given arise to severall doubts concerning the rule and quantity of a duty imposed, and expedients being found in the interim untill the matter should be explained by parliament, it was accordingly explained by that statute to the great content of the subject as well as advantage of the government; and who ever is at the pains to examine the severall statuts will find that in case of new laws such expedients have been admitted of and the matters afterwards explained, and it will not be found that these protesters have in their own cases so clearly understood the act of parliament, having varied in their own schemes given in.

To conclude, the royall burrows were and are most ready, as in duty

bound, to follow the precise rule established by act of parliament, but there arising insuperable difficulties in the application, and, from the various apprehensions the royall burrows have had concerning the said clause insisted upon in the protest, they do conceive they are sufficiently warranted to proceed in the terms of the overture by the clause, folio 50, in the forced statute imposing this current years cess, viz., that the proportion of the cess of the burrows in Scotland be rated and payed as their tax roll now is or shall be settled by themselves, anything in this act contained in the contrare notwithstanding; therefore protests to the contrare, and for all cost, skaith and dammage.

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Overtures as to
land tax,
protestations
and answers.

48^a. Remitted to a committee petition from Sir Andrew Kennedy, conservator. Petition by conservator.

49. Remitted to a committee petition from Burntisland with memorial in name of the Earl of Weemyss and Collin M'Kenzie of Rossend. Burntisland.

19 July 1712.

50. In absence of the lord provost of Edinburgh, the convention elected Preses. John Duncan, commissioner of Edinburgh, preses.

51. Ordained the protestations and answers given in on 17th and 18th inst to be inserted in the minutes. Protestations and answers.

52. Allowed such of the members as are not present to adhere to the answers given in to said protestations at any time during the sitting of this convention. Members allowed to adhere to answers.

53. The commissioners of Couper, and twelve other burghs, protested that laying on the tax roll otherwise than is prescribed by the land tax act shall be noways obligatory upon their burghs, and that they may incur no censure of the parliament for not obeying the laws. Protestation, Couper, &c.

21 July 1712.

54. Immediately after reading of the minuts, the hail burrows who had given in their respective valuations, excepting the burgh of Couper and those who adhered to him in the protest mentioned in the last days minuts, did protest that though they had given in their severall valuations according to what they thought was the meaning of the act of parliament, yet, if the saids valuations should be found in any thing disconform to Protestation of severall burghs.

EDINBURGH.
21 July 1712.

Protestations
of severall
burghs.

Agents
accompys.
Dumbar.
Draught act
for raising
cess.
Offer of Edin-
burgh as to
cess.

the said act, that their said burghs might be free of all cost, skaith dammage and expences, and might incur no censure, in regard they were all most desirous to have obeyed the law.

55. Appointed the agents accounts to lie on the table till tomorrow.

56. Valuation for Dunbar given in and remitted to committee to report.

57. The draught of an act for advancing this years cess in pursuance of the convention's resolution was read and appointed to lie on the table.

58. The preses, in name of Edinburgh, offered to take on them, for this year, the £4 of the tax roll, provided the other burghs advance this years cess of the remainder of the tax roll until such time as the act of last session shall be farther explained ; and desired the commissioners to think on this overture till next meeting.

Act in favours
of the skinners
of Edinburgh.

59. The convention, upon report of the committe to whom the consideration of the memoriall from the magistrats and incorporations of the skinners and furriers of Edinburgh was remitted, finding that the packing and peilling of skin and hyde and obliging the landward butchers when they cary their bulks to any of their mercats to bring the skin therewith, that both may be there presented to sale, is the ancient priveledge of the royall burrows past memory, agreeable to severall acts of parliament and of their own convention, and that, as the magistrats of each burgh have by law the power of regulating their own mercats and punishing the forestallers and regraters thereof, so have they, by the same immemoriall custome, been in constant exercise thereof with respect to these particulars ; and that, albeit the incorporations forsaide in particular have the said priveledge of obliging the countrey butchers to bring in the skins with the bulks to the effect forsaide specially confirmed to them by their seall of cause and charter under the great seall, both ratified in parliament, and been in the exercise thereof by such immemorial custome, yet, of late, the butchers of Musleburgh and Dalkeith have endeavoured to wrest the saids priviledges by raising a declarator against the saids magistrats and incorporations before the lords of session, concluding they may sell their skins or not as they think fit albeit the mercat price be offered, and have proceeded so far as of late to insist in a proces of wrongous imprisonment against the magistrats of Edinburgh on account of their proceeding against them in the exercise of their saids priviledges, which will be of

universall prejudice, doe therefore find this to be a generall concern of the whole burrows as tending to the subversion of their priviledges, and therefore doe by these presents appoint their agent to concur with the saids magistrats and incorporations to get justice done them in the affair.

EDINBURGH.
21 July 1712.
Act in favours
of the skimmers
of Edinburgh.

22 July 1712.

60. Recommended "the affair betwixt the burgh of Burntisland and Collin M'Kenzie of Rose-end" to the adjustment of the commissioners of St Andrews, Kirkaldie and Couper, as offered by Rose-end.

Burntisland
Rosend.

61. As craved by Sir Andrew Kennedy, conservator, the convention appointed their clerks to record, after the acts of this convention, the decree of the house of lords in the appeal at his instance against Sir Alexander Cuming of Coulter.

Decree of
house of lords,
conservator.

62. Directed John Gregorie, factor, to renew his caution, one of the cautioners being dead, but declined to relieve the other cautioner till due intimation be made by next years missive. Remitted to the committee appointed to sit after this convention to receive John Alerdes, younger, as a staple factor at Campvere on his finding sufficient caution.

Factors'at
Campvere.

63. The convention approved of the draught of ane address to her Majestie and appointed Sir Robert Blackwood, their preses, to sign the same in their name, of which address the tennor followes:—To the Queens most Excellent Majestie, the humble address of the royall burrows of North Britain. May it it please your Majestie. Wee, your most dutyfull and loyall subjects, being met together in our annual convention concerning the matters of trade and other affaires relating to our society, we beg liberty to lay before your Majestie that application was made to us by William Cochran and David Anderson, merchants in Edinburgh, mentioning that, in the month of September last, they had applyed to Captain Chamberlane, commander of your Majesties ship the Ruby, that either by himself or by the frigots Scarsborrow or Queensborrow under his command, he would conduct the petitioners three ships from Gottenburgh to the Firth of Forth in Scotland, which desire the captain refused unless they would give him the reward of ane hundred pounds sterling, and these merchants did comply therewith and gave the captain a bill for that sum upon their factor at London; notwithstanding whereof the said captain did altogether desert the said merchants and their ships and left them to

Draught of
address to her
Majestie
approved.

EDINBURGH.
22 July 1712.
Draught of
address to her
Majestie
approved.

the mercy of their enemies, so that they were taken by ane French privateer and caryed up to Dunkirk, to the ruine of them and their families. All this matter of fact is clearly documented and will be laid before your Majestie. This, and all other cases of that nature, being the most materiall things that fall under our consideration, and it being the universall concern of all your royall burrows that such incroachments upon our trade may be prevented, and that the forsaid merchants may be repared of their great losses, we judge it our duty to concur with them in their address and humbly to beseech your Majestie would be graciously pleased to take the same into your royall consideration and provide such remeedy as your Majesty, in your great wisdom, shall think fitt for restoring these poor merchants and discouraging all such practises for the time to come. —May it please your Majestie, [etc].

Act for advancing cess.

64. The act for advancing the cess being read a second time was appointed to lye upon the table till tomorrow.

Draught act to be framed.

65. The plan for ascertaining the tax roll was read and the convention appointed the burghs of Edinburgh, Perth, Dundie, Aberdeen, Sterling, Glasgow, Couper, Dumbarton and Annan, or any three of them, to cary the same to Sir James Steuart, her Majesties advocat, to the end the draught of ane act may be framed for ascertaining the proportions of the tax roll, reserving to the said lawier to make such additions and alterations as he shall see meet.

23 July 1712.

Rothsay.

66. Appointed the commissioners for Inverarie and Campbletoun to visit the burgh of Rothsay and report to next general convention.

Aberdeen and others protestation.

67. The commissioner for Edinburgh desired that he might have liberty to see and answer the protestation by the commissioner of Aberdeen and several others.

Brechin.

68. The commissioner for Brechin gave in two additions to his former valuation.

Agents accompts.

69. The agent gave in his accounts from July 1711 to July 1712, the discharge amounting to £6407, 18s. 2d., and the commissioner of Aberdeen and five other burghs protested against certain articles therein.

70. Remitted to a committee to meet with the receiver general and consider the matter represented in the memorial by him regarding the land tax. EDINBURGH.
23 July 1712.
71. Remitted to a committee memorial by Mr John Buchan, late agent to the burghs, with an account relative thereto, and appointed the agent to lay before the committee the state of the process commenced by Buchan against the burghs. Land tax.
John Buchan's
memoriall.

72. The convention having heard the draught of ane act for advancing the cess payable to her Majestie, as also ane offer made by the lord provost of Edinburgh, in name of the said burgh, at the desire and request of the royall burrows, and the vote being stated : Approve of the said act and offer—it caryed Approve. But, before they proceeded to the vote, the assessor for the burgh of Glasgow protested against the same and desired liberty to give in his reasons of the said protestation in writing; to which protestation the commissioners for Perth, Aberdeen, Culross, and Elgin adhered; and the dean of gild of Edinburgh, commissioner for the said burgh, protested that he might have liberty to see the said reasons when given in and answer the same. Draught act
for advancing
cess.

Followes the act:—The convention of the royall burrows in Scotland, being assembled in their annual meeting on the first day of this month of July, and having applyed themselves with the greatest dilligence and care to make the tax roll of the said royall burrows for the land tax, granted to her Majestie by ane act past in the last session of parliament, intituled Ane act for granting ane aid to her Majestie, to be raised by a land tax in Great Britain for the year j^m vij^c and twelve, according to the estimats or valuations by the said act to be made, and reported to this convention by the severall burrows, of the true and reall rent of all lands, tenements, burrow roods, milns, fishings and other hereditaments that have been in use to be taxed within the said severall burrows; and finding that the reports of the said estimat so directed to be made by the severall burrows were so different in forme from one another and lyable to so many exceptions, and that the disputs upon the subject of these differences are so great and caryed on with such animosities that the difficulty in making the said tax roll is insuperable, the convention did, the seventeen day of this month, come to the resolution, viz., in regard it appears by the severall schems given in that a great part of the royall burrows had different vieus and understanding of the meaning of the act Act for
advancing of
the cess.

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Draught act
for advancing
cess.

of parliament made for laying on the proportion of the tax roll, and that it will take up a long time before the same can be adjusted, whereby her Majesties service may be retarded and the supply not raised in due time to answer the exigencies of the government, therefore it was humbly overtured that an advancement should be made of the supply due to her Majestie by the royall burrows as they payed last year, and that in the meantime application should be made to the parliament of Great Britain for explaining the forsaid act of parliament so that all due obedience may be given thereto and the cess equally proportioned amongst them according to the design of the act; and this day the convention having, pursuant to the said resolve, agreed that an act should pass and also that the proportion of such burrows who, after the explanation humbly desired and expected, shall be made to appear to be either over rated or under rated by the rule established by this act for the interim, shall be made equall according to the said explanations in manner following, and that the proportion of cess payable by the respective burrows who do not agree to the said resolve shall be advanced in manner also after express, therefore the convention do appoint and ordain that the current cess, payable by vertue of the forced act of parliament, shall and is hereby proportioned according to the tax roll established by the convention *j^m vij^c* and eleven; as also, in case, after the said explanation humbly expected and desired, it shall appear that any of the said burrows are either over rated or under rated by this present agreement and act, that the exceedings of the burrows overrated, or the short comings of the burrows under rated, shall be adjusted and made up according to the said explanations at their next meeting; and forsomuch as some commissioners present have protested for themselves and in name of their burrows that they will not agree to the forsaid overture of the seventeenth instant, nor pay their proportions accordingly, therefore the city of Edinburgh, out of sincere duty and loyalty to her Majestie, zeall for the publick service and tender concern for the commone good and unity of the royall burrows, and at their speciall desire and request, have agreed to advance the sums and proportions due and payable by the burrows whose commissioners did dissent from the forsaid overtures, the said city of Edinburgh being to have their relief *cum omni causa* from the recusant burrows according to the pro-

portions as they shall be settled in the next meeting of the convention of the royall burrows conforme to the explanations abovementioned humbly expected and desired.

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Draught act
for advancing
cess.
Edinburgh's
offer adhered
to.

73. The convention adhered to the offer made by the lord provost, in name of the city of Edinburgh, at the desire and request of the royall burrows, whereby for the peace and concord of the burrows they are willing, over and above the advancement they are to make for the recusant burrows, also to advance the sum of twelve shilling which was last year imposed upon Inverness, Irving, Pittenueem, Anstruther Easter and Dumfermling, by the proportions mentioned in the tax roll, the said town of Edinburgh always having their relief in manner and conforme to the act made anent the supply of this date.

74. Appointed a committee to draw up an address to be presented to her Majesty and parliament relative to the foresaid act for advancing the cess.

Address to her
Majestie to be
drawn up.

24 July 1712.

75. The minuts of the last sederunt being read, William Austin, commissioner for the burgh of Perth, and George Yeaman, commissioner for Dundie, gave in the protestation underwritten and thereupon took instruments in the clerks hands, the tennor quherof followes :—

Protestation
against articles
in accompts.

Note of the articles objected against by Perth and Dundie in the accompt of missives.

Imprimis, the article for consulting against the clause of the act by order of the committe 17 December 1711	169	16	0
Item, 2 February 1712, to ane consultation of lawiers against the said clause	246	6	0
Item, to the article of 1200 lib., payed to Sir William Johnston conforme to the 13 act of the convention 1712	1200	0	0
Item, the article for dispatching missives to the burghs of barrony and regality	108	0	0
Item, the article of Tavern bills being spent by particular people not known	347	6	6
Item, the article paid to baillie Fall	141	16	4
Item, the years annual rent of the missive	385	0	0
	2598	4	10

Whereas the agent of the burrows, in the accompt of missives from July

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against articles
in accompts.

Edinburgh's
answer to
Aberdeen's
protest.

j^m vij^c and eleven to July currant, j^m vij^c and twelve, has stated the above articles, extending to the sum of tuo thousand five hundred ninty eight pounds four shilling ten pennies, and we William Austin, commissioner for Perth, and George Yeaman, commissioner for Dundie, conceaving that our said burghs can nowayes be lyable for any of the above articles, 'do, for ourselves and all that will adhere to us, protest against the hail above articles because they were not expended upon the commone intrest of the burrows, and the convention can ccess no particular burgh against their own consent, but in as far as the convention is warranded by parliament so to do, and the article of annual rent cannot be allowed but at most from the date of the advance, and all the articles not objected against, being either allowances to particular burrows or sellaries to clarks and servants, which neither is nor ought to have been payed before now, and consequently there can be no annual rent due.

76. John Duncan, one of the commissioners for Edinburgh, represented that he being alloued to give in answers to the protestation taken the last day by John Ross, commissioner for Aberdeen, he accordingly reproduced the said protestation with the answers, the tennor whereof followes:—The act of parliament, in December last, for a land tax, the severall burrows of Scotland are appointed to take up one estimat or valuation of their true and reall rent of all lands, tenements, burrow roods, milns, fishings, and other hereditaments belonging to the severall burrows, and these estimats being taken up as the act requires, the magistrats of the respective burrows are thereby required to send them, by their commissioners, to this convention, and there to be recorded and kept as a rule by which the proportions of the severall burrows shall be ascertained in the tax roll, and now the greatest part of the severall burrows having reported, by their respective commissioners, their estimats or valuation of their reall rent in the terms of the said act, John Ross, commissioner for Aberdeen, for himself and all his adherents, required that the severall estimats given in by the respective burrows may be recorded in the convention books, conforme to and in the terms of the said act of parliament, since all the estimats are already given in which can be expected, and thereupon takes instruments in the clerks hands.

To which protestation it was answered by the said commissioner for

Edinburgh that, albeit the estimat or valuation of the reall rent of every burgh were brought up to the convention, as it is nottur they are not, yet there are so many different formes of the said estimats and so various sentiments anent the meaning of the act of parliament prescribing the rule of the said valuation, that the convention have found themselves under ane indispensable necessity for coming in to a resolve for advancing the cess, conforme to the last years proportion upon every burrow, untill such time as the parliament shall be addrest for ane explanation of the said act, and therefore, seeing the convention, because of the said difficulties, cannot proceed to adjust the tax roll upon the valuations which are so variously given in, it seems altogether superfluous to record the said valuations which were only appointed to be recorded in order to the adjusting the tax roll.

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Edinburgh's
Answer to
Aberdeen's
protest.

77. John Ross, commissioner for Aberdeen, and Thomas Smith, for Glasgow, gave in the protestation under written and thereupon took instruments in the clerks hands, the tennor whereof followes :—Against the act proposed by the commissioner for Stirling, the commissioners for Aberdeen and Glasgow protested, in name of themselves and these who should adhere to them, not only upon the reasons formerly given in by them against the overture upon which this act is founded, but likewise because the difficulties started and the debates caryed on with animosity alledged for the act, are not in the least to be imputed to the protesters, who always were and are now willing to proceed in the terms of the act of parliament to proportion the severall quotas of the burrows according to the estimats given in, notwithstanding the evident prejudice which they, the protesters, must in the meantime sustain by ane unequall part of the tax being put upon them by reason of their having given in a just and true estimat of the reall rent of all their lands, &c., when at the same time it is owned by some burrows they have made deductions from the reall rent, and they presum a great many others have done the like, yea, and tuo have not given in ane estimat of any sort, nor can they apprehend with what justice the toun of Edinburgh can pretend to zeal for her Majesties service and concern for the commone good and unity of the burrows when at the same time they deliberately set aside the rule prescribed by act of parliament by their approving this act which arbitrarily

Aberdeen and
Glasgow's
protest.

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protest.

imposes the tax roll of j^m vij^c and eleven upon the burrows for the j^m vij^c and twelve, in direct opposition to the land tax act which ordains a new rule for the year j^m vij^c and twelve; nor does the toun of Edinburgh advancing the cess of the recusant burrows answer the design of the parliament which expressly ordains the quota of each burrow to be ascertained in the convention j^m vij^c and twelve according to that rule; and the commissioners forsaide, in name of themselves and those who shall adhere to them, do hereby crave and require that the estimats given in by the severall burrows may be recorded and that their quotas may be thereby ascertained, and that such burrows who have not given in their estimats may be double taxed, and that such burrows as shall be objected against may be revalued, and these who shall be found not to have given in a just and true valuation in the terms of the act of parliament may be lyable to double taxes, in ease of others, as the same act of parliament does direct, notwithstanding of any resolve or act of this convention past to the contrary; and hereupon they take instruments. [Follow signatures of commissioners of Aberdeen, Glasgow, Perth, Dundee, Renfrew, Brechin, Crail, Forfar, and Arbroath. The dean of guild of Edinburgh adhered and obtained leave to give in answers.]

Couper's protest.

78. Thomas Hope, commissioner for the burgh of Couper, protested that the said burgh be allowed against the next annuall convention to add or diminish from their valuation or schem given in, in case the parliament shall put any other meaning upon the clause then what the valuator had at making up and finishing the said schem, and notwithstanding hereof he adhered to his former protestation and thereupon took instruments in the clerks hands, to which all the members of the convention adhered to the first part of the protestation except these who formerly dissented.

Valuation of
Edinburgh.

79. The dean of gild of Edinburgh, one of the commissioners of the said burgh, gave in to the convention a speciall estimat or valuation of the true and reall rent of all the lands, tenements, burrow roods, milns, fishings, and other hereditaments taxable within the burgh of Edinburgh, without any deduction, and took up the valuation formerly given in by him, upon which the commissioners for Newgalloway protested that, inregard many of the houses of the burgh of Edinburgh, in the valuation given in, were rated above the true rent, that therefore the said valuation

might not prejudice the respective heretors, and that the samen should not be made use of as ane rule for ascertaining the toun of Edinburgh proportions of the tax roll untill the samen be adjusted, and therupon took instruments in the clerks hand; to which protestation William Livingston, one of the commissioners for the burgh of Edinburgh, and the commissioner for the burgh of Annan adhered.

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Valuation of
Edinburgh.

80. Archibald Cockburn, baillie of Leith, gave in ane estimat or valuation of the lands tenements, &c., of the toun of South Leith and protested that he might have liberty to reforme the samen, inregard there was allowance given for reparations in the said valuation, and therupon took instruments in the clerks hands; and, immediatly thereafter, John Duncan, dean of gild of Edinburgh, protested, in name of the said toun, that they might not be lyable for either Leith or Cannongate, inregard the magistrats of Edinburgh had used ther utmost endeavours to cause both Leith and Cannongate give in their estimats in the terms of the act of parliament, and therupon took instruments in the clerks hands.

Valuation of
South Leith.

81. It was moved by the commissioner for the burgh of Glasgow that the estimats given in by the severall burrows be recorded in the terms of the act of parliament, and seconded by Dundie and Aberdeen. Thereafter it was moved by the commissioner for Stirling that the convention should proceed to take in the reports of the committe prepared be them to be laid before the convention according to their appointment; ane amendament was proposed by the commissioner for St Andrews to the motion made by the commissioner for Glasgow, viz.: Immediatly befor the schems be adjusted, or thereafter according to the overture gone into by the convention. Then it was put to the vote whether the amendament was to be a part of Glasgows motion or not, and it caryed in the affirmative. Thereafter the convention voted whether they should proceed to the motion made be Glasgow, viz.: That the estimats given in by the severall burrows be recorded in the terms of the act or parliament or to the motion made be the burgh of Stirling, viz. that the convention should proceed to the reports of the committe; and it caryed that the convention should proceed to the reports of the committe. But, before the vote, the commissioner for Glasgow protested against the stating thereof, and therupon took instruments in the clerks hands.

Motion by
commissioner
of Glasgow &c.

EDINBURGH.
24 July 1712.

Address to
parliament.
Accounts of
unfree traders.

82. An address to parliament for the better ascertaining the tax roll was read and ordained to lie on the table till next meeting.

83. Appointed the agent to lay before the committee, tomorrow, an account of all the unfree traders who have accepted of the communication of trade, with the quotas payable by them, and who are deficient in their payments.

25 July 1712.

Answers by
commissioner
for Edinburgh
to protest of
Aberdeen and
Glasgow.

84. John Duncan, one of the commissioners for Edinburgh, gave in answers to the protestation taken the last day by the commissioners for the burghs of Aberdeen and Glasgow, whereof the tennor follows:—

Answers for the city of Edinburgh and their adherents to the last protestation made by the commissioner of Aberdeen and others. The protesters are at much pains to justifie their procedure in the convention, but the groundless clamours and noise they have made, with the nauseous repetitions of their protestations, are so notur and obvious, and have tended so much to delay the business of the convention, as makes it clear to a demonstration what their designs have been; wheras the city of Edinburgh, and haill other royall burrows, except the protesters, have evidenced their willingness to take all propper measures for the peace and concord of the society, and its hoped when this comes to be tabled before the parliament of Great Britain it will be found that the city of Edinburgh and their adherents have testified their dutyfull affection and obedience to them, as will further appear by their humble address, wherein they give account of the difficulties which occur to them, and wherein they humbly crave to be resolved by the great court of parliament; and whereas it is insinuat by these protesters that they know not how to lay on the cess for this current year, the answer is very obvious, to witt, that they may follow the example of the convention who, out of zeal to her Majesties service, have determined to advance the supply and to wait the honourable parliament their explanation; and the act of the convention for raising this currant years tax is so justly and equally calculat that no burgh can be prejudged by the advance, because their quotas, if over rated now or underrated, will be adjusted according to the parliaments direction; and so tender and carefull hath the city of Edinburgh been of her Majesties service that they have undertaken even to advance what these

protesters shall refuse to do. As to these expostulations the protesters make, they serve to no purpose, for all terminats in this one point that the generality of the convention are not satisfied with the glosses and interpretations made by the protesters upon the clause, but will wait upon the explanation of the law givers, and there is no society of men can be more ready and willing then they are to give due obedience. And for the recording of the valuations, too much insisted upon, it is frivolous, for no persone is hindered to record what he thinks fitt, and the protesters need not be offended that their example is no rule to the generall convention who do humbly wait and expect to be directed by the parliament of Great Britain, who are their great and noble patriots, and therefore the whole convention, except those protesters, do protest against them for all cost, skaith and dammage; and thereupon took instruments in the clerks hands, to which all the members of the convention except the protesters adhered.

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Answers by
commissioner
for Edinburgh
to protest of
Aberdeen and
Glasgow.

85. The convention, upon report of the committee, agreed to ane address to be made to the parliament for ascertaining the proportion of the royall burrows in their tax roll; but, before the voting thereof the commissioners for Glasgow gave in the following protestation, viz: Whereas a proposal is made to the convention and ane overture brought in that twenty pounds or a fifth part of the tax roll should be laid upon trade, the commissioners for Dundie, Perth, Aberdeen, Glasgow and Dumfreis, protested, in name of themselves and these who should adhere to them, that the said overture is not only contrare to the rule already prescribed by the British act of parliament but likewise has no foundation in the acts of parliament in Scotland before the Union, from which it is evident that all supplies granted to the Sovereign were to be uplifted from the shires and burrows according to the valuation of their lands and hereditaments, and such ane overture tends only to bring upon the burrows a discretionary manner of assesment which we conceave to be repugnant to all law and reason, and thereupon take instruments in the clerks hands. [Follow signatures of the commissioners of Dundie, Pearth, Aberdeen, Glasgow, Dumfreis, Stranraer, Craill, Arbroath.] To which protestatione the commissioners for Burntisland, Craill, Brechin, Elgin, and Kirkwall adhered.

Address to the
parliament
agreed to.

EDINBURGH.
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Address to the
parliament
agreed to.

Thereafter the convention proceeded and by their vote agreed to the said address, the tenor whereof followes :—To the honourable House of Commons, the royall burrows of North Britain humbly represent :—That the clause insert in the act of the land tax in the last session of parliament for the better ascertaining of the tax roll of the royall burrows of Scotland was so differently understood by most part of the royall burrows that they could come to no conclusion about the true meaning thereof, some of them beleiving that inrespect by the narrative of the act these subjects which were not formerly in use to be taxed were not now to be comprehended, others understanding that every thing taxable was included, so that the royall burrows came to one resolve that their proportion of the supply should be advanced by them for her Majesties service in due time as formerly, and that in the meantime they might have access to apply to the honourable house of commons for ane explanation which might be the rule both of uplifting this present supply and in time coming, for which end they do humbly offer, with great submission, to the consideration of the honourable house that they will be pleased to explain the said act in the terms of the memoriall hereto subjoyned, viz : For the better ascertaining of the tax roll in North Britain, it is statut and enacted, and be it hereby enacted, that ane estimat or valuation be made of the true and reall rent of the haill lands, tenements, hereditaments, burrow roods, milns and fishings, pertaining and belonging to the royall burrows or suburbs thereof, deducing their teinds, with ane fourth part of the forsaid true and reall rent for other necessary deductions, and where there is victuall payed that the prices thereof be valued according to the shirrif fiars, as the samen shall be appointed by the severall shirrifs, or commissars where there are no shirrifs, within the severall bounds ; and further with this declaration that such lands, tenements and others as are waste shall not be therein included, but the said waste tenements shall only be marked as such in a column apart, for the more distinct knowledge of the condition of the burgh ; and in order to the making of the said estimat of the reall and true rent of every burgh in manner above appointed, the magistrats and counsell of each burgh shall chose five or more of their burgesses, quherof three at least of the toun counsell, with the toun clerk or his deput, to

draw up ane exact account in writing of the said true and reall rent of the burgh, by calling the heretors and in case of their absence the possessors for the time, who shall be bound to give in under their hands a just and true account of the said true and reall rent of all lands tenements, &c., belonging to or possest be them, and that under the penalty of ten pounds sterling to be payed by the heretor or possessor refusing to give a true account of his rent under his hand and also upon his oath if thereto required, to be payed to the magistrats for the use of the burgh, and by making enquiry and taking examination in any other lawfull manner by law allowed; and, where the heretor himself possesses, that the heretor give in under his hand, or upon oath if required, the rent payed him when the land was last set, and if the land was never set the said valuator are impouered to make ane estimat of the same according as it may be valuable by the rule and custome observed within that burgh; and it is hereby declared that in case any of the persons chosen for valuing, as said is, declin without just cause to accept and officiat they shall be lyable in a fine of fifty pounds sterling to the burgh; which valuatione of the true and reall rent of each burgh, to be made by the said valuator thereto appointed, shall be given in under ther hands, within the space therto prefixed, to the magistrats and counsell of the burgh, bearing their having deponed, as they are hereby obliged to depone before the said magistrats that, to the best of their knowledge, the valuation contains a true and full account of the said true and reall rent in every particular thereof, which is accordingly to be marked down, with ane account also of the said waste lands in a column apart; and this account and particular valuation being delivered to the magistrats, signed and affirmed in manner above prescribed, the magistrats and counsell are to send by their commissioner to the next convention of the royall burrows, to be held in July j^m vij^c and thirteen, there to be recorded for ascertaining the rule in their tax roll, and these valuations of their respective burghs are to be taken up and given in yearly. But, because it is also reasonable that the benefite that burghs and burgesses may have by their free trade should also be considered, to ease the true and reall rent of the burgh and to ease such burghs as have no such free trade, and so that the proportion of the tax roll in every burgh may be truly

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Address to the
parliament
agreed to.

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 Address to the
 parliament
 agreed to.

stated, both according to the estimat to be made of the true and reall rent thereof, as said is, and likewise according to the benefite the burgh may have by free trading, be it therefor further enacted [that] the free trade of the burghs royall of Scotland shall be hence forth reckoned at the rate of twenty per cent, or of the fifth part of their tax roll ; and, to the effect that every burghs share and benefite by free trade may be the better known and ascertained, it is hereby further enacted that the collectors of her Majesties customes at the severall ports of North Britain shall send up yearly to the custom board, betwixt the twenty day of May and (*blank*) day of June, ane exact abstract out of their custome house books of all goods imported within their severall ports, to the effect the import of every burgh hereby appointed to be the rule of stating its share and benefite of free trade may be fully known, and which abstracts shall bear the names of the persons and places concerned, with the quantity and quality also of all the saids goods imported, and are to be signed by the collectors and comptrollers of the said respective ports and by them affirmed upon oath and sent to the custome board as said is, to be then transmitted by the commissioners to the convention of burrows in June yearly, and so to continue from the said twenty of May in the year j^m vij^c and thirteen to the twenty of May thereafter, and so forth yearly, quherby the import of goods by each burgh may clearly appear ; and that the forsaid sum of twenty pounds in the tax roll may be accordingly proportioned upon each burgh according to their trade and import, yearly, from year to year, and that for the ease of the said respective burghs of their true and reall rent as said is. And it is hereby further provided and declared that if any burrows shall neglect or refuse to send in to the convention of burrows their estimat and valuation, taken in manner above prescribed, or shall not make a just and true valuation of the reall rent taxable within the burrow as said is, or shall not accept of and acquiesce in the share and proportion of the said twenty pounds of the tax roll rated for the free trade, as the same shall be proportioned upon them, every such burrow shall be lyable to double taxes in ease of the others ; and the commissioners of any of the royall burrows are also hereby allowed to disprove any of the estimats or valuations that shall be given in, and to demand a revaluation of the burgh that is objected against, at

which revaluatione the persons who demand it may be present and assist if they please, and use all the methods of law that may be competent for disproving of the estimats quarellled and demanding a true revaluation. And it is further provided and declared that these presents shall be without prejudice of what the royall burrows may claim from burghs of barrony and regality and other unfree traders upon the account of communication of trade, conforme to acts of parliament made in their favours. And, lastly, it is hereby provided that after the valuations of the rents of the severall burrows are made, and the shares and proportions of such of them as may be concerned are stated of the said twenty pounds of the tax roll rated for free trade, and these proportions of the tax roll thereby ascertained, the magistrats and toun counsell of each burgh may raise their proportion falling to them of taxes within themselves as formerly.

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Address to the
parliament
agreed to

Thereafter the convention appointed Mr William Hamilton, at London, to be employed to negotiat the affair of the said address, and the agent to advance him what money shall be necessary for carying on the said matter, by advice of the lord provost of Edinburgh and any other tuo of the committe which is to sit after this convention ; and further, the convention recomends to the commissioner for Kirkaldie to second the endeavours of Mr Hamilton in promotting the forsaid address, and entreats the severall other burrows will interceed with their respective representatives in parliament in order to bring this matter to a happy issue ; but the commissioners for the burghs of Perth, Dundie, Aberdeen, Glasgow, Dumfreis, Arbroth, Forfar, Craill, Elgin, Brechin and Kirkwall, protested that the burghs they represent may be free of any part of the expence that should be deburst in this matter.

86. The convention put to the vote whether the estimats given in by the severall burrows to this convention should be recorded now, or if the same should be done after the parliaments explanation is obtained, and it caryed After the parliaments explanation ; but the burghs of Pearth, Dundie, Aberdeen, Glasgow, Dumfreis, Craill, Brechin, Culross, Elgin, Arbroth, Renfrew, Forfor, and Fortrose voted Record now, and craved it might be so marked in the minuts.

Estimats of
burghs to be
recorded.

87. The commissioner of the burgh of Glasgow protested he might have ane extract, under the clerks hand, of the gross sum and estimats of

Glasgows
protest.

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Glasgows
protest.

the severall burrows as given in to the convention, and thereupon took instruments in the clerks hands; to whom the burghs of Perth, Dundie, Aberdeen, Dumfreis, Craill, Brechin, Culross, Elgin, Aberbrothock, Renfrew, Forfar and Fortrose, adhered. Thereafter the commissioner for the burgh of Glasgow gave in ane protestation, the tennor whereof followes:— We, Thomas Smith, John Ross, Henry Guthrie and William Austin, commissioners to this present convention of royall burrows, for the burghs of Perth, Aberdeen, Dundie, Glasgow, Dumfreis and Craill, having given in to the clerks of this convention ane exact account in writing of the true and reall rent of the severall lands, tenements, milns, fishings and other hereditaments, which are or have been subject to pay cess in the said burrows, in the terms of the act of parliament last made anent the land tax, doe hereby protest, for ourselves and in name of the burghs each of us do represent, that the said accounts may be recorded and our proportions corresponding to our respective burghs valuations ascertained in the tax roll; and likewise, being informed that the burgh of Edinburgh has not made a just and true valuation of the reall rent of all their lands, tenements and others, taxable by the act of parliament, within their burgh, we do protest that we or the burghs we do represent, or one or other of us, making the same appear, the said burgh of Edinburgh may be lyable in double taxes in ease of the other burrows, and we do demand that a revaluation of the said burgh may be allowed to all or each of us in terms of the act. Thereafter the commissioner for Newgallaway protested for a revaluation of the burghs of Pearth, Dundie, Glasgow, Dumfreis and Craill, and thereupon took instruments in the clerks hands, to which protestation the commissioner for the burgh of Montrose adhered.

Banf.

88. Appointed the case and condition of Banf to be a head of next years missive.

Sir William
Johnston, £20.

89. Appointed the agent to pay Sir William Johnston of Westerhall £20 sterling, disbursed by him in the affairs of the burghs at London, against which the commissioners of Aberdeen and five other burghs protested.

John Buchans
proces.

90. The convention, "considering that it will take up a great dale of time to search their records in order to a full understanding of the proces intended by Mr John Buchan against the royall burrows," remitted the consideration thereof to the committee appointed to sit after dissolving this convention, and in the meantime the agent to defend the proces.

91. Remitted to the same committee representation given in by the burgh of Kirkaldie "complaining of severall exorbitant exactions made by the custome house officers, to the great prejudice of trade." EDINBURGH.
25 July 1712.
Kirkaldies
representation.
Highway lead-
ing to Dunbar.
92. Appointed a committee "to visit the highway leading to and from the toun of Dunbar, which is contraverted betuixt his grace the Duke of Roxburgh and the said toun of Dunbar."
93. Appointed a committee to sit after the dissolving of the present convention to consider every thing relating to trade, the staple port and unfree traders, and what else is or shall be remitted to them. Committee.
94. Having heard petition by Craill "anent the customes, anchorage and half tiths of Fifeness, &c.," with answers thereto by Anstruther Easter, the convention refused the petition. Craills petition
refused.
- 95-97. Remitted to the committee appointed to sit after dissolving this convention (95) memorial given in by the receiver general of the land tax, (96) account given in by the agent of the state of the unfree trade and his intromissions therewith, and (97) petition given in by the burghs of Piteneem and Week, as also a petition given in by Arthur Reid and William Don, vintners. Remits to
committee.
98. Granted the same power to the committee appointed by the 93d act of this convention as was granted to the committee appointed by the 42d act of last general convention, and allowed any member of convention, though not named, to sit and vote in the committee. Power granted
to committee.
99. Appointed consideration of the condition of Forfar and Dingwall to be heads of next annual missive. Forfar and
Dingwall.
100. Recommended the preses to transmit the address to parliament to Mr William Hamilton at London. Address to
parliament.
101. Appointed the agent to pay certain salaries and gratuitie; "and the assessor for the burgh of Glasgow protested against all gratuities and augmentation of sellaries, and therupon took instruments in the clerks hands, to which protestation the assessors for the burghs of Pearth, Dundie and the commissioners for Aberdeen and Aberbrothock adhered thereto." The following are the sums ordered to be paid: The ordinary salaries to principal clerks £480, depute clerk, £100; Thomas Scheill, 100 merks; and the burgh agent, £240; for "extraordinary pains" to the principal clerks £240; depute clerk, £120; Thomas Scheill, £240; and the burgh agent 500 merks; to the agents servant, £100; clerk to the burrow equie, £60; usher of exchequer, £60; keeper of advocates bar, £29; macers of exchequer, 40 merks; macers of session, 40 merks; burgh officer, £240 of salary and 100 merks of gratuity; Madam Kennedy, £40; relict of John Wardlaw, late burrow officer, £40; presenter of signatures, £60; his servant £11. 12 s.; Lawrance Wallace, £40; and to the gardener for flowers, £11. 12 s.; all Scots money. Sellaries and
gratuities.

EDINBURGH.
25 July 1712.
Act, dissolving
convention.

102. Dissolved the present meeting and appointed next general convention to be held at Edinburgh in July 1713.

Followes the Decree of the House of Peers, appointed to be recorded by the 61 act of the preceding convention :—

Decree of the
house of peers
19 April 1711.

Die Jovis, 19^o Aprilis, 1711. After hearing counsell upon the petition and appeal of Sir Andrew Kennedy, baronet, from a decree made by the lords of counsell and session in Scotland, the ninth day of December 1707, on the behalf of Sir Alexander Cuming, in several suits there depending in relation to a commission granted to Sir Andrew Kennedy by their late Majesties King William and Queen Mary, under the great seal of Scotland, and renewed by his late Majestie King William, in 1697, to be conservator of the Scotch priviledges in the Netherlands and their Majesties resident for the affaires of Scotland within the seventeen provinces, for and during the life of Sir Andrew Kennedy and John Vere Kennedy his son, jointly, and after Sir Andrews death to the said John Vere Kennedy for and during his Majesties pleasure ; and also in relation to one other commission dated the seventh day of April 1705, whereby the said office is granted by her Majestie to the said Sir Alexander Cuming ; as also upon the answer of Sir Alexander Cuming put in thereunto ; and due consideration of what was offered thereupon : It is ordered and adjudged by the lords, spiritual and temporal, in parliament assembled, that the decree of the lords of counsell and session in Scotland complained of, in the apeal of Sir Andrew Kennedy, shall be and is hereby reversed ; and it is hereby declared and adjudged that the said commission granted by her Majestie to Sir Alexander Cuming is void, and that the said commission granted to Sir Andrew Kennedy and John Vere Kennedy by his late Majestie is still subsisting in full force ; and it is further ordered that the lords of the counsell and session in Scotland do direct the expences in these suits to be taxed, according to the course of their court, and paid to Sir Andrew Kennedy by Sir Alexander Cuming ; and that Sir Andrew Kennedy shall be and is hereby quieted in the enjoyment of the said office ; and as to the mesne profits of the said office the said Sir Andrew Kennedy is left at liberty to pursue such remedy as he shall be advised to take for the same. *Sic subscribitur* : Math. Johnston, *clerk. Parliamentor.*

MEETINGS OF COMMITTEE, *held at* EDINBURGH.

21 October 1712.

EDINBURGH.
21 October
1712.

Edinburgh, John Duncan ; Montrose, Alexander Arbuthnet ; Piteneem,
Mr Robert Clelland ; Lauder, George Walker ; New Gallaway John Hog.

Sederunt.

1. Sir Robert Blackwood, lord provost of Edinburgh, elected preses.

Preses.

2. The committe agreed to the draught of a letter to his grace the Duke of Hamilton, and appointed the same to be signed be the lord provost of Edinburgh, their preses, in their name, and to be transmitted to his grace, together with the memoriall anent the trade of the nation, the tenor of which letter followes :—May it please your grace,—Wee had not been wanting in paying our dutyful respects to your grace ere this time, had not our annual elections (which are but concluded within these few days) hindered our meeting. We do assure your grace that it was with much satisfaction we received the news of her Majesties appointing you her ambassador to the most Christian King, as not only becoming her Majesties consummat wisdom and prudence, but that we are hopeful therefrom will redound much advantage to her Majesties subjects, and especially to these of this part of the United Kingdom whose concerns your grace has always had much at heart. May it please your grace, we do ourselves the honour to congratulat you in this high station, heartily wishing your grace may in this your negotiation have all the success which is consequential to the noble designs your grace has hitherto had in all the periods of your life. These makes us presume to recomend to your grace the particular concern of this countrey as the same shall occur in the course of your affair, for which end we have herewith sent your grace ane memoriall touching the priviledges and other advantages in the point of commerce that may be obtained in the treaty of peace, which by her Majestie has been transmitted to her plenipotentiaries at Utricht, at the humble desire of our commissioners to the parliament, seconded by the lords commissioners of trade and plantations, which if obtained may in ane great measure contribute to the making of trade flourish in Britain

Letter to Duke
of Hamilton.

EDINBURGH.
21 October
1712.

Letter to Duke
of Hamilton.

and particularly in this part thereof. Your grace has upon all occasions shown so much inclination to advance your countries intrest that there is no room left us of doubting your good offices, so what remains to us is to pray that Almighty God may bless your person and family, give success to your embassie, and return you safely to your countrey, which none desires more ardently then, may it please your grace, the committe of the royall burrows. Signed in our name, [etc.] Edinburgh, 21 October 1712.

2 December 1712.

Sederunt.

Edinburgh, William Hutcheson; Montross, Alexander Arbuthnet; Coupar, Mr Thomas Hope; Pittenueem, Mr Robert Clelland; Dumbarton, Sir James Smollet; Lauder, George Walker.

Preses.

1. Sir Robert Blackwood of Pitrevie, lord provost of Edinburgh, elected preses.

Letters as to
treaty of
peace.

2. The committe considering how much it imports the state of burrows that particular care be taken of the comerce of this kingdom in the treaty of peace, to the which end, besides former endeavours used by them for that effect, they had latly addressed his grace the Duke of Hamilton and therewith sent him ane memorial relating to the trade of this kingdom, as the same should occur in the course of his embassie to France, but his grace being now deceast and the Duke of Shrewsberry named to succeed him in his said embassy, they remitt to the lord provost of Edinburgh to bring in ane scroll of a letter to the committe, against their next meeting, to his grace the Duke of Shrewsberry and the lord treasurer and two principall secretarys of state, upon the same heads as was written to the deceast Duke of Hamilton, and according to the directions his grace was pleased to give in his answer to the letter sent him from the committe, all to be negotiat by Mr Hamilton.

6 December 1712.

Sederunt.

Edinburgh, William Hutcheson; Coupar, Mr Thomas Hope; Pittenueem Mr Robert Clelland; Dumbarton, Sir James Smollet; Craill (*blank*); Montrose, Alexander Arbuthnet; Calross, Mr William Cochran; Banf, Sir Alexander Ogilvie; Whithern, John M'Gouan; Annan, Sir William Johnston.

The committe having heard the draught of the letters appointed by the last meeting of the committe to be sent to his grace the Duke of Shrewsberry, the lord high treasurer, and principall secretaries of state, they approved therof, and appointed the lord provost of Edinburgh to signe them in their name and cause transmitt them accordingly, and further appointed his lordship to write letters in their name to the Earles of Finlater and Isslay for their friendly assistance, the tennor of which letters follow :

EDINBURGH.
6 December
1712.
Draught
letters ap-
proved of.

May it please your grace,—Wee do ourselves the honour of congratulating your grace upon her Majesties appointing you her ambasadour extraordinary to the French King, and, amongst the many other instances which her Majestie in the course of her gracious reign hath given us of her concern for the prosperity and wellfare of her subjects, this of pitching upon your grace to execute that high office is what deserves our gratefull acknowledgements, seeing from your eminent abilities and untainted zeall for the true intrest of Britain we assure ourselves your negotiation will resolve unto the honour of her Majestie and good of her subjects. The further enlargement of commerce being of the last consequence to these kingdoms, and we being appointed by the generall convention of the royall burrows of North Britain to offer proposalls thereanent as occasion is given us, presume to informe your grace that, since the treaty of peace commenced, we have by our commissioners, seconded by the lords commissioners of trade and plantations, given in ane memoriall to the Queens Majestie touching the priviledges and other advantages in the point of commerce in order to be transmitted to her plenipotentiaries at Utricht, which if obtained we are perswaded will very much conduce to the enlargement of the trade of Britain. So soon as we understood her Majestie had put the late Duke of Hamilton (whose death very much afflicts us) in the character wherewith your grace is now vested, we did address him upon this head, who was pleased to assure us of his good offices and advised us to sollicite the lord treasurer and the principall secretaries of state to instruct him thereanent; in pursuance whereof, we address the lord high treasurer and principall secretaries that your grace may be instructed therewith as ane necessary expedient for obtaining these advantages whereof all her Majesties subjects may be sharers. We beg leave humbly to desire your grace will be

Letter to the
Duke of
Shrewsberry.

EDINBURGH.
6 December
1712.

Letter to the
Duke of
Shrewsbury.

pleased to peruse the memoriall herewith transmitted, being ane exact copy of that which was presented to the Queens Majestie, earnestly intreating your grace will be pleased to insist that the same may be recomended to your grace in your embassy, the particulars therein contained tending so evidently to the prosperity of the trade of Britain. We shall not trouble your grace any farther upon this occasion, being well assured that, besides the particulars offered in the memoriall, what further means for the enlargement of trade shall occur to your grace the same will be insisted upon as far as the nature of the thing will bear ; so, wishing your grace ane successful embassy and a safe return, we are, with great respect, may it please your grace, the committe of the royall burrows. Signed in their name, [etc]. Edinburgh, 9th December, 1712.

Letter to lord
high treasurer.

My Lord,—Your Lordship may remember that about the opening of the congress there was ane memorial relating to the comerce betwixt Britain and France presented to her Majestie, in order to be transmitted to her ministers at Utrecht by our commissioners, seconded by the lords commissioners of trade and plantations, ane copy whereof your lordship was also pleased to accept off; and now that there is ane ambassadour appointed to the French King, and that the good setlement of commerce with France is of the greatest importance to Britain, we beg leave to transmitt to your lordship another copy of the said memoriall, humbly desiring your lordship would be pleased to give your friendly assistance in having the particulars therein contained recomended to the speciall care of the ambassador, which we persuade ourselves will very much tend to the improvement of the trade of Britain. We are, with great respect, my lord, &c.—Edinburgh, 9th December, 1712.

Letter to the
earle of Dart-
mouth and Vis-
count of Bull-
ingbruke, prin-
cipall secret-
aries of state.

My Lord,—We being informed her Majestie has appointed his Grace the Duke of Shrewsbury ambassador to France, and in regard the due setlement of comerce betuixt Britain and France is of the greatest importance to these kingdoms, we presume to give your lordship the trouble of the inclosed memorial, being ane exact copy of that which was presented to her Majestie by our commissioners, seconded by the lords commissioners of trade and plantations, in order to be transmitted to her ministers at Utrecht. The particulars contained in the said memoriall being of such consequence to the whole kingdom, we are hopefull your lordship

will be aiding in having the lord ambassador duly instructed thereanent, that so, in any tariff or treaty of commerce that is or shall be set on foot, Britain may have advantages in ane true measure proportionable to the burden it has born during the war. We make offer of our humble respects to your lordship and are, in all duty, as becometh, my lord, &c. — Edinburgh, 9th December 1712.

EDINBURGH
6 December
1712.

Letter to
the earle of
Dartmouth and
Viscount of
Bullingbroke,
principall
secretaries
of state.

My Lord,—The enlargements of the commerce of this kingdom being so absolutely necessary for the support thereof, and the due improvement of the present opportunity of a treaty of peace with France tending so evidently thereto, we did not neglect at the opening of the congress to deliver to the Queens Majestie, by our commissioners, seconded by the lords commissioner of trade and plantations, ane memoriall relating to the priviledges and other advantages in the point of comerce with France, in order to be transmitted by her Majestie to her ministers at Utricht, which, if obtained, would bring great advantage to Brittain. Upon her Majesties appointing the late Duke of Hamilton ambassador to France we did address him on this head, who was pleased to assure us of his friendship, and that he might be the more able to execute these friendly intentions did recomend to us to sollicite the lord treasurer and principall secretaries of state, that the particulars contained in the memoriall might be given him in his instructions, pursuant whereunto we have transmitted copies of the said memoriall to the lord treasurer and secretaries of state, humbly desiring their lordships would give their assistance to the having of the Duke of Shrewsberry, now appointed ambassador to France, instructed therewith. We reckone it the happiness of this countrey that your lordship is now at London, and being from former experiences fully convinced of your concerns for the intrest thereof, we have presumed to give your lordship the trouble of perusing the said memorial, which we have here inclosed, and we have no doubt but your lordship will be of one mind with us as to the advantages that Britain in generall, and this part thereof in particular, will reap in the obtaining thereof. So, being fully confident that your lordship will use your intrest to have the same recomended to the special care of the ambassador, or any others that shall negotiat ane tariff or treaty of comerce betuixt Britain and France, we shall conclude with our dutyfull

Letters to the
earles of Find-
later and Isslay.

EDINBURGH.
6 December
1712.

respects to your lordship, and with our very sincere professions of our being, with the uttmost respect, my lord, &c. Edinburgh, 9th December 1712.

Memorill to
be printed.

2. The committe "appointed their clerks to cause print the memorill for the use of the burrows."

Aberbrothock.

3. Anent the petition given in by the provost and councillors of Aberbrothock, and the petition by the late provost and other members of council, the committee "appointed each party to see and interchange petitions and answer the samen against next meeting of the committe."

MEETINGS OF COMMITTEE, *held at EDINBURGH.*

29 December 1712.

EDINBURGH.
29 December
1712.

Sederunt.
Preses.

Edinburgh, John Monro ; Montrose, Alexander Arbuthnet ; Pittinueem, Mr Robert Clelland ; Dumbarton, Sir James Smollet ; Whithorn, John M'Gouan.

1. Sir Robert Blackwood of Pitrevie, lord provost of Edinburgh, elected presses.

Mr William
Hamilton,
£50.

2. Appointed the agent to give credit, to the value of £50 sterling, to Mr William Hamilton, who, by the 85th act of last convention, was employed to negotiate the affairs of the burghs relating to the tax roll before parliament which meets on the 13th of next month.

9 January 1713.

Sederunt.

Edinburgh, William Hutcheson ; Stirling, Collonel John Airskin ; Montrose, Alexander Arbuthnet ; Dumbarton, Sir James Smollet ; Pitenuem, Mr Robert Clelland ; Newgalloway, John Hog.

Preses.

Hamilton,
commissioner.

1. Sir Robert Blackwood, lord provost of Edinburgh, elected preses.

2. Granted to Mr William Hamilton a commission, in pursuance of the 85th act of last convention, authorising him "to apply to the honorabill house of commons, and to doe all and sundry other things requisit and necessary with respect to the management of the said affair that he shall think most proper for bringing the same to ane effectuall issue."

3 February 1713.

Edinburgh, John Monro; Stirling, Collonel John Erskin; Piteneem, Mr Robert Clelland; Dumbarton, Mr James Smolet; Newgalloway, John Hog.

EDINBURGH.
3 February
1713.

Sederunt.
Preses.

1. Sir Robert Blackwood elected preses.

2. A letter having been read from Mr William Hamilton, at London, mentioning "that he had taken advice of lawiers in the affair of the land tax act, and that, with the allowance of the committe, he was to advise farder with other three lawiers upon the said matter," the committee approved of his procedure and allowed him to take the farther advice proposed.

William
Hamiltons
procedure
approven.

10 February 1713.

Edinburgh, John Monro; Montrose, Alexander Arbuthnot; Craill, Alexander Simpson; Annan, Sir William Johnston; Dumbartoun, Mr James Smollet.

Sederunt.

1. Sir Robert Blackwood, lord provost of Edinburgh, elected preses.

Preses.

2. Approved of a letter written by the preses to Mr William Hamilton anent the management of the burghs' affairs at London, with respect to the clause added in the land tax act, ascertaining a rule for proportioning their quotas of the land tax, "and recommended to the said preses to write a letter of thanks, in their name, to the right honorabill the Earle of Finlater for the great countenance given by his lordship to the concerns of the royall burrows at London."

Letter to
William
Hamilton
approven.

3. Appointed the agent to transmit to Mr William Hamilton the whole papers given in by Sir William Johnston of Westerhall to last general convention relative to the land tax bill.

Papers
relative to
land tax bill.

3 March 1713.

Edinburgh, William Hutcheson and John Monro; Stirling, Collonel John Erskin; Dunbar, William Faa; Dunbartoun, Sir James Smollet; Craill, Alexander Simpson; Banf, Sir Alexander Ogilvie; Annan, Sir William Johnston.

Sederunt.

1. Sir Robert Blackwood, lord provost of Edinburgh, elected preses.

Preses.

2. The Committee having considered a letter from Mr William Hamilton, at London, to their agent, anent their affairs, they appointed a letter to be written by the lord provost of Edinburgh, their preses, in their name, to the said Mr Hamilton, which being read in presence of the committe they approved thereof and appointed the same to be recorded,

Letter to
Mr William
Hamilton
approven.

EDINBURGH.
3 March 1713.

Letter to
Mr William
Hamilton
approved.

the tenor whereof followes : Edinburgh, 3rd March 1713. Sir,—By all the accounts we have had from Mr Smollet, agent to the royall burrows, of your management of that trust they committed to you, we are obliged to reflect with much satisfaction upon their choise and are hopefull ; by the continuance of your care and diligence, that bussiness may be brought to ane desirable issue. Your last letters to the agent did require ane meeting of our committee, and after perusing thereof we were convinced you had reasone to desire it, and we make no doubt that in some event the address of the last generall convention may be called for, in which case you will need to be determined what measures you are to take, and if it shall be indispensibly necessar to present the samen that you may be autherized for that effect. Sir, we have had very serious thoughts upon that subject. We can scarce adventure to prescribe any certain rule, yet we shall offer our opinion as follows :—It appears to us that the first step which our discontented brethren will probably make may be to press the same clause to be continued which was formerly tacked to the last years land tax bill and thereby prevent our being heard upon it during the whole session. This must be carefully disappointed by such of the members as are our friends, who upon the best grounds may represent how prejudiciall that will prove to her Majestie and the government and render the payment of the supply precarious and uncertain so far as relates to the royall burrows part, as has already happened when that clause was under consideration of the late convention, for as they could make no judgment of it but differed extreamly in their sentiments, so if it had not been for the duty and affection which the good toun of Edinburgh did bear to the government, by advancing the deficiencies of the burghs which refused, that matter had certainly resolved in confusion, besides the animosities and heats which were raised upon that occasion, so that the continuance of that clause will undoubtedly revive the flaim ; whereas, by the dropping of the clause, not only will the royall burrows be restored to their rights, but her Majesties tax will be ascertained without raising the least disturbance amongst her subjects lyable thereunto, for it would be remembered that the royall burrows are all lyable *in solidum*, and there is no possibility that any loss can be sustained in the levying thereof, and it is most obvious that the alteration demanded may be of

bad consequence. Now, supposing that the tax bill may pass without any such clause, yet thereafter application may be made by the discontented burrows to have a certain rule prescribed by the parliament for proportioning the tax amongst the royal burrows and thereby prevent the pretended arbitrary power which the burrows are aleadged to have taken in times past. It may be answered that the aleadgance is calumnious, and that the royal burrows have always proceeded upon the justest grounds in so far as the rules observed by them in divideing the tax was according to the raising and falling of the condition of the severall burrows, either in their trade or other circumstances, as will appear by their records these hundreds of years; and it is impossible, in so fluctuating and uncertain a thing as trade and merchandising is, besides that the other subjects of the burrows taxation, being their houses and tenements, how lyable they are and have been to accidents which have made and may still make a considerable alteration of their state and condition, that in these cases the taxes must not be lyable to changes; and though, as in all other humaine affairs, there cannot miss to be some errors, so it may have happened amongst the burrows, yet, no sooner was any such mistake represented and made appear, then the general convention did cheerfully grant their relief; but it is very strange, upon such groundless insinuations as are offered, there should be a totall innovation of the priviledges of the royal burrows, secured to them by immemoriall possession and many repeated laws and acts of parliament in their favours and confirmed to them by the Union. As to the last event which we can forsee in the prosecution of this bussiness, seeing that, if these complaining burrows can make no better hand, they will urge that there is a rule or plan made by the last general convention which they have ordered to be laid before the parliament in the way of ane humble address and so may insist to have it taken under consideration. This may prove straitning, and it is acknowledged there was ane address to that purpose appointed by the last convention of July, but, that you may be informed in what manner it proceeded, please know that after a very long time spent upon the consideration of the clause and that the convention could come to no settlement about it, the differences still increasing, albeit all possible pains was taken to compose them, at length it was proposed for satisfying the dissenting burrows that the fore-

EDINBURGH.
3 March 1713.
Letter to
Mr William
Hamilton
approved.

EDINBURGH.
3 March 1713.
Letter to
Mr William
Hamilton
approved.

said address with the plan therein contained should be authorized by the convention to be laid before the parliament, and albeit most part of the members were against the scheme in their privat opinions, as judging it to be no proper cure for the disease but upon the matter of a piece with the clause itself, yet, believing their being passive in it and not resisting the motion would remove all debates and unite the burrows amongst themselves, therefore only it was acquiesced unto ; but it proved so far contrary to the ends proposed that our meeting immediately was, with protestatione and instruments taken, with the greatest ferment and passion, against the overture and address, as you will perceive by the attested copy enclosed. Now, if any of these protesters still pretend to make use of that address, how easily may they be redargued by their own facts above deduced, and however we see not how far you are warranded to abstract that address if insisted upon, being a deed of the generall convention, yet it is still our opinion that our lawiers and the honourable members of parliament, and especially of our own representatives that are friendly to us, will consider and advise you what is most proper in this exigence, seeing what we offer at the time is with submission to their better judgement, in whom we place entire trust and confidence, and also in your taking all proper measures for the credit and interest of your constituents. But we need use no arguments where your reputation is so much concerned ; only, rest assured the gratefull sense of your kindness to the royal burrows will not be easily removed. We are, Sir, your friends and humble servants, [etc.].

7 May 1713.

Sederunt.

Edinburgh, William Hutcheson and John Monro ; Stirling, Collonel John Erskine ; Glasgow, Robert Rodger ; Montrose, Mr Alexander Arbuthnet ; Pittenueem, Mr Robert Clelland ; Newgallaway, John Hog.

Preses.

1. Sir Robert Blackwood, lord provost of Edinburgh, elected preses.

Land tax bill.

2. The committee being informed that the house of commons had passed the land tax bill "without the clause adjected to the last years land tax bill, which did prescribe a new way of valuing each burrow in order to ascertain their proposition of the tax roll," appointed the clerks to intimate this by way of post-script to this years missive.

3. The committee, considering that severall of our countrey-men, members of the house of commons, had appeared very zealous for the interest of the burrows in reponing them to their ancient way of taxing each burrow in their general conventions, did therefore recomend and hereby recommends to Sir Robert Blackwood, lord provost of Edinburgh, their preses, to give the committees hearty thanks to the saids gentlemen for the pains they have taken in the said affair and to assure them that the committee has the deepest sense of their care and activity shown in that matter, and farder the committee empowers the said Sir Robert Blackwood, in their name, to acquaint Mr Hamilton, at London, that they do approve of his management and are convinced that he has faithfully discharged the trust reposed in him.

EDINBURGH.
7 May 1713.
Thanks to
be given to
members of
house of
commons.

GENERAL CONVENTION, *held at* EDINBURGH.

Edinburgh, William Hutcheson and John Monro; Perth, Robert Robertson; Dundie, Mr Henry Guthrie; Aberdeen, John Alerdes; Stirling, Colonell John Erskin; Linlithgow, Alexander Glen; St Andrews, Alexander Watson; Glasgow, John Aird; Air, Robert Moor; Hadingtoun, Richard Miller; Disart, David Thomsone; Kirkaldie, Mr James Oswald; Montrose, Robert Turnbull; Coupar, Mr Thomas Hope; Anstruther Easter, Charles Gilmer; Dumfreis, John Corsbie; Burntisland, George Thomson; Inverness, John Steuart; Innerkeithing, John Cant; Kinghorn, Robert Hamilton; Brechin, John Doig; Irving, John Hamilton; Jedburgh, John Simpson; Kirkudbright, John Kirkpatrick; Wigtoun, Patrick Coltram; Pittenueem, Mr Robert Cleiland; Dumfermling, Robert Adie; Anstruther Wester, John Cunningham; Selkirk, Andrew Wauch; Dunbarton, Sir James Smollet; Renfrew, Mr John Cochran; Dunbar, William Fall; Lanerk, John Russell; Aberbrothock, John Hutcheson; Elgin, Robert Dunbar; Peebles, John Frier; Craill, Henry Craufurd; Tain, William Ross; Culross, William Cochran; Banf, Sir Alexander Ogilvie; Whithern, John M'Govan; Forfar, Charles Dickson; Rothsay, Archbald Stewart; Ruthglen, William Spence; Northberwick, James Miller; Cullen, Mr John Philp; Lauder, George Lauder;

EDINBURGH.
7 July 1713.
Sederunt.

EDINBURGH.
7 July 1713.
Sederunt.

Kilrenny, James Peacock ; Annan, Sir William Johnston ; Lochmaben, John Johnston ; Sanquhar, Abraham Crichton ; Newgalloway, John Hog ; Queensferry, John Hill ; Fortrose, Hugh Baillie ; Wick, John Calder ; Stranraer, Mr Robert Dalrymple ; Campbeltoun, Mr Neill Campbell ; [nine burghs, *blank*].

7 July 1713.

Preses.

1. Sir Robert Blackwood of Pittravie, lord provost of Edinburgh, elected preses.

Committe to
revise com-
missions.
Assessors.

2. Appointed a committee to revise the commissions. "And thereafter John Monro, one of the commissioners for the burgh of Edinburgh, Robert Robertson, commissioner for the burgh of Perth, Robert Yuill, assessor to the commissioner for the burgh of Glasgow, and George Fall, assessor to the commissioner for the burgh of Dunbar, did qualifie themselves by taking the oaths of aleadgance and abjuratione and signing the same with the assurance, in respect they had not been in that capacity before."

Missive dues.

3. Appointed the agent to lay before next convention a list of burghs deficient in payment of their missive dues.

Commissions
approved.
Committee.

4. Approved of the commissions on receiving report of the committee.

5. Remitted to a committee to consider the heads of the general missive and what else shall be remitted to them and to report.

8 July 1713.

Heads of
missive.

6. On report of the committee appointed to consider the heads and articles of the missive, the convention appointed the following heads and articles to be continued in next annual missive (1) the platform and qualifications of members to conventions ; (2) presenting monopolies presented in exchequer ; (3) erecting manufactories for employing the poor, "with this alteration that manufactories in generall be mentioned in place of woolen manufactories ;" (4) misapplying mortifications within burghs ; (5) sending up setts of the particular burghs to be recorded ; all the burghs except Nairn, Sanquhar, Dorneck, Inverarie and Campbeltoun, having sent up setts, but in regard Sanquhar has none the convention appointed a committee to make one and report to next annual convention ; (6) differences between Lauder and justices of the peace of Berwickshire ; and (7) harbour of Burntisland.

Articles of
missive delted.

7. The difference betwixt the laird of Bracco and provost of Banf, and the burgh of Irving and justices of the shire, having been adjusted, these articles were appointed to be deleted from the missive.

Peebles,
Pittenweem,
Wick.

8. Delayed consideration of (1) report by visitors as to condition of Peebles and (2) petitions from Pittenweem and Wick ; and allowed Sir James Dunbar of Hemsrig to see and answer the petition from Wick.

9. Having heard report from visitors as to condition of Lochmaben, the convention remitted to four commissioners "to meet with the curators of my lord duke of Queensberry and endeavour to accomodat the differences mentioned in the said report." EDINBURGH.
8 July 1713.
Lochmaben.
10. Remitted to a committee the articles in the missive anent reports from visitors appointed to visit the burghs of Rothesay, Banf, Forfar and Dingwall. Rothesay,
Banf, Forfar,
Dingwall.
11. Remitted to a committee to examine and report as to the sufficiency of the caution proposed for John Gregory, staple factor. Gregory,
factor.
12. Refused the petitions of Arthur Reid and William Don, vintners in Edinburgh, in regard the petitioners took an obligation from Sir Robert Forbes, late agent, to pay the sums claimed when allowed in his accounts. Reid and Don's
petitions.
13. Appointed a committee to consider the postscript of the missive anent the tax roll and to endeavour to accommodate all differences between the burghs for bygoness, "and to bring in what overtures may be thought proper for preserving concord and agreement amongst the royall burrows and preventing such heats and debates as has formerly arisen amongst them in time coming." Tax roll.
14. Appointed a committee "to meet with Mr George Lockhart of Carnwath, and such other members of parliament as are in toun, and returne them hearty thanks in their name for their care and concern in their affaires and the good offices done by them to the royal burrows." Thanks to
members of
parliament.
15. Appointed a committee to revise and prepare the agents accounts ; and in the meantime the accounts to be laid on the table for inspection, in terms of the 27th act of last general convention. Agents ac-
counts.
16. Appointed the agent to lay the state of the process intended by John Buchan against the burghs before the committee at their next meeting. Buchan's
process.

10 July 1713.

17. Approved of the admission of John Gregory and George Gregory to be conjunct staple factors at Campvere, and accepted of Mr James Gregory, professor of mathematicks in the college of Edinburgh, and Mr Charles Gregory, professor of mathematicks in the college of St Andrews, their brothers, with John Gordon late provost of Aberdeen, as cautioners for them. Gregories,
factors.
18. Relieved John Alerdes of his cautionary obligation for John Gregory who has found caution of new as mentioned in the preceding act. Cautioner
relieved.
19. Remitted to a committee (1) consideration of the process intended by John Buchan against the burghs, and (2) petition from Mr James Fergusson and John Forbes anent the balance due to Sir Robert Forbes. Buchan's pro-
cess, Forbes.
20. The agent produced his accounts which were ordered to lie on the table in terms of a former act. Agents ac-
compts.

EDINBURGH.
10 July 1713.
Crail, petty
customs.

21. On petition from the burgh of Crail, craving liberty to set a tack of their petty customs, the convention remitted to the commissioners for St Andrews, Kirkaldie and Couper, to meet all parties concerned and endeavour to adjust matters with them.

13 July 1713.

Culross, Fort-
rose.

22. The commissioner for Culross declared that, after further consideration, the burgh found the method proposed last year for adjusting the tax roll would be impracticable and prejudicial to the whole small burghs and passed from the protest taken in 1712, and the commissioner for Fortrose for the same reason also passed from protest taken by his burgh.

Overtures for
adjusting the
differences
anent tax roll.

Thereafter, there were three several overtures given in to the convention for adjusting of differences in relation to the tax roll as to bygones and preventing the like differences in time coming; the first overture from the burgh of Edinburgh, the second from Aberdeen, Glasgow, &c.; and the third from Banf:

Overture for
Edinburgh.

Followes the tenour of the proposall for Edinburgh:—For preventing of partiality in making up the tax roll of the royall burrows and complaints arising thence for the future, it is overtured that in all time coming, when the tax roll is to be adjusted, that the convention of burrows shall chose fifteen of their own number, whereof one out of each district, which fifteen are to be solemnly sworn and impowered to divide the tax roll among the haill burrows according to justice and each burrows condition with respect to land and trade. And, for adjusting of bygone differences, which did only arise from the casting of four pounds of the tax roll upon the dissenting burghs in the convention j^m vij^c and eleven, the good toun of Edinburgh, for peace sake, does frankly and generously undertake to relieve the said burrows of the four pounds for the said year.

Overture for
Glasgow and
Aberdeen.

Followes the tennor of the proposall for Aberdeen and Glasgow, &c.:—For preventing of partiality in making of the tax roll of the royall burrows and complaints arising thence for the future, it be necessar that some general rule be established from which the proportion of each burgh may be determined, it is overtured that in all time coming, when the tax roll is to be established or altered, that fifteen members of the burrows, whereof one to be chosen by and of each district, shall bring

with them a just valuation of the reall taxable rents of every burgh for which they are chosen, made up and signed upon oath, and exhibit and deliver in the same, and according to these rules shall fix and determine the proportion and quota to be payed by every burgh; that one of the said fifteen members, being seconded by any other of the said number, shall have power to disprove the valuatione of any burghe and to enquire into the verity of the valuation given up and exhibited before them, and to revalue such as shall be found to be wrong, and also to value such burghs whereof no valuation shall be given in; that the saids valuations shall be renewed for all the burghs of the kingdom, and the tax roll accordingly altered, once every five years; that the magistrats of burghs shall have power to proportion the quota of cess payable by the burgh upon the inhabitants for their trade and lands as formerly.

EDINBURGH.
13 July 1713.
—
Overture for
Glasgow and
Aberdeen.

Followes the tenour of the proposall for Banf:—Overtured by the Lord Forglan, commissioner for the burgh of Banf, that the four pounds laid on upon the dissenting burghs in the convention j^m vij^c and eleven, which was the occasione of difference, be taken off by the toun of Edinburgh for the last year, and that for this year, or such number of years as the convention shall determine, the said four pounds be laid on the missive or on the haille burghs according to their rates as preceeding the year j^m vij^c and eleven, with this amendament by Collonel Erskin that the four pounds for this next year be also laid on the haille burrows, excepting the dissenters.

Overture for
Banf.

Which overtures, being at length discoursed on in convention, they unanimously agreed that the said overtures be the subject of discourse the next meeting of the convention which is to be at three aclock this afternoon.

23. Having proceeded to the consideration of the foregoing overtures, the convention remitted to a committee to adjust differences anent the tax roll and bring in a good overture to the convention thereanent.

Committee
anent tax roll.

14 July 1713.

24. The commissioner for Dunbarton reported that, after discoursing with the burghs of Aberdeen, Glasgow and other dissenting burghs, as to differences regarding the tax roll, they asked to be eased in the tax roll and were satisfied

Committee,
tax roll.

EDINBURGH.
14 July 1713.
Committee,
tax roll.

to have a committee named to bring in a scheme. The convention therefore appointed a committee "to prepare and bring in to the convention such a scheme of the tax roll as may produce a good agreement and harmony among the whole state of burrows."

Tayn.

25. Commission of The burgh of Tain read and approved of.

15 July 1713.

Tax roll appointed to be altered.

26. The committee having, in pursuance of what was remitted to them, taken a view of the case of the haill burrows, gave it as their unanimous opinion to the convention that the burghs of Perth, Dundie, Linlithgow, Glasgow, Air, Kirkcaldie, Couper, Brechin, Kirkcudbright, Elgin, Forfar and Queensferry be considered, and therefore that the tax roll be altered in order to ane accomodation; which being considered by the convention it was put to the vote:—Alter the tax roll or not and approve of the forsaid overture or not—and it caryed Alter the tax roll and approve of the overture. But, before the vote, the commissioner for Aberdeen protested against the alteration of the tax roll in regard it was not a head of the missive, to which protestation the burgh of Glasgow adhered and thereupon tooke instruments in the clerks hands; to which it was answered that nothing could be more absurd then the forsaid protest, because if any burgh is to be eased, which Aberdeen is seeking, then another burgh must be heightned, and that necessarily implyes ane alteration of the tax roll; and albeit the alteration was not a head of the missive yet it was the end of the missive. Thereafter the following protest was given in, subscribit by the commissioners for the burghs of Perth, Dundie, Aberdeen, Glasgow, and Aberbrothock, of which protest the tennor followes:—Whereas many inconveniencies and complaints have for several years bygone and do still arise in the adjusting, settling, and altering the tax roll of the royal burrows of Scotland, through want of a fixed rule for proportioning the said tax roll; and forasmuch as, by the act of the tenth year of her Majesties reign imposing the land tax, the valuation of the severall burghs was appointed to be the rule for ascertaining the severall proportions of the burrows share of the said land tax, and seeing the tax for the said year is not yet divided and proportioned among the burghs, wee therefore protest that the rule and clause in the

said act of parliament may be observed in the proportioning the said tax for the year j^m vij^c and twelve, and that the said rule or some other generall rule shall be made a rule to be observed in all time coming according to which the proportion payable by each burgh shall be ascertained, and we adhere to all the former protestations made by us and for our burghs in the last years convention. [Signed by commissioners for Perth, Dundie, Aberdeen, Glasgow, and Aberbrothock.] To which protest it was answered: It is true the parliament did by their act j^m vij^c and eleven appoint the valuation of the tenements and land rents of each burgh to be the rule for ascertaining their severall proportions of the tax roll for the year j^m vij^c and twelve, which act being presented and containing severall clauses therein upon which there arose severall debates and questions anent the manner of taxing, because the said act obliged only these subjects to be taxed that were formerly in use, so that the convention could not come to an unanimous opinion thereanent till the samen should be further explained, yet in the meantime, from duty and affection to her Majestie and the government, they appointed the tax to be payed as formerly; and farder, the magistrats of the good toun of Edinburgh did make advance of the said recusant and protesting burrows their proportions, and now that the said act is altered, which seems to explain the parliaments act j^m vij^c and eleven, it is hoped the protesting burrows will pay up their proportion as formerly, or if they shall yet stand out and refuse it is expected they will certainly pay up their quotas at least conforme to the clause in the said act, whereupon they found and have given in their valuation accordingly, otherwise they may in justice expect present execution as is in use for raising the supply; but the burrows being now reponed to their ancient custome of making up the tax roll, and now at liberty to proceed as formerly, and to observe this rule, viz., to have a special regard to each burghs trade and to the valuation of their lands and tenements belonging to them and to their common good and burdens thereupon, which if duely considered will be a sufficient directione, and to remove all suspitione of partiality and arbitrariness it is hoped that the committe to be named for making up the tax roll shall be appointed to take the oath *de fidei*, which is all that can be done in the matter; but, seeing nothing can please the dissenting burrows unless

EDINBURGH.
15 July 1713.
Tax roll
appointed to
be altered.

EDINBURGH.
15 July 1713.

Tax roll
appointed to
be altered.

the conventione come in to their measures which they have laid doun, therefore the whole other members of the convention protest that the said dissenting burrows may be lyable to them for all cost, skaith, damage and expences, that the convention may sustain therethrough in any sort. To which ansuer it was replied by the saids commissioners for Perth, Dundie, Aberdeen, &c., that it is with much regrate and unwillingness, and from absolute necessity, that the protesting burghs are obliged to adhere to their several protests against the procedure of the conventione in settling a tax roll without any generall rule for ascertaining their severall preportions as was prescribed by the act of parliament, for as the act of the tenth year of her Majesties reign did establish and set down that rule and appoint the conventione which was to meet in July j^m vij^c and twelve to establish their tax roll according thereunto, so the subsequent and last act imposing the land tax did nowise rescind the former statute, but, in the vieu that the above rule had obtained, the parliament did leave it to the burrows to make up their tax roll as formerly, and the not observance of the said statute, albeit no just objection can be made against the same, is the cause of all the complaints and protests, seeing unless that or some other generall rule be established for determining the proportion of each burgh, and so long as the determinatian is arbitrary and depends upon the opinion of persons who without a generall rule can never know the state and condition of the severall burghs, it will necessarily fall out that there will be lesions and just ground of complaint, which is the present case of the protesting burghs overcharged with higher proportions of the tax then they are able to bear, and the rules proposed in the ansuer can never be understood as rules, seeing they absolutely depend upon the opinion of the persons to whom they are committed, and their oaths *de fidei administratione* can never make them more capable to judge in what they are not able to know without some fixed general rule, so that whatever damage or expence may be sustained by any of the burrows is occasioned through the not observance of the act of parliament and statute and rule therein set down and should burden and affect the contraveeners; likeas, if the convention will order the estimat and valuation of such burghs who have not yet produced the same to be given in, and will allow these which are given in to be disproven in the terms of the

act of parliament, the protesting burghs will cheerfully pay their proportions effeiring thereto, but must still adhere to their protests against the procedure for settling a tax roll without observing a rule prescribed by act of parliament or some other general rule to be agreed upon.

EDINBURGH.
15 July 1713.
Tax roll
appointed to
be altered.

27. A scheme of the tax roll prepared by the committee in order to ane accomodation was read in convention, but the same being disagreeable to the burghs of Perth, Dundee, Aberdeen, Glasgow, and Aberbrothock, therefore the convention did proceed to appoint a new committee, viz., the burghs of Edinburgh, Stirling, Linlithgow, St Andrews, Air, Haddington, Kirkaldie, Montrose, Couper, Irving, Inverness, Selkirk, Dunbarton, Crail, Culross, Banf, Cullen, Tain, Annan, Newgalloway, Perth, Dundie, Aberdeen, Glasgow, Aberbrothock, and Elgin, whereof the major part to be a quorum, to bring in a new scheme to the convention of a tax roll for the number of five years including the present year, it being the ordinary custome at the changing of the tax roll to do it for five years, with this reservation that in case of any accident to any particular burgh during the said time the convention shall have power to give relief accordingly; from which vote only the commissioners for the burghs of Aberdeen and Anstruther Wester dissented. Thereafter, it was debated in convention what rule the committee should follow in making up the tax roll and it was overtured that the committee should observe this rule, viz., to have speciall consideration of each burghs trade and of the valuation of the land and tenements belonging thereto, together with their commone good and burdens thereupon, but the commissioner for Aberdeen overtured that the only rule to be observed by the committee should be the valuation of each burghs lands and tenements as prescribed by the act of the British parliament j^m vij^c and eleven; and then it was put to the vote whether the former overture or that given in by the burgh of Aberdeen should be the rule to the committee, and it caryed the former overture; but before the vote the commissioner for the burgh of Aberdeen protested against the same and tooke instruments in the clerks hands.

New scheme
of the tax
roll.

28. By a majority, the convention appointed the committee for adjusting the tax roll to take the oath *de fidei*.

Committe to
take oath.

20 July 1713.

EDINBURGH.
20 July 1713.Tax roll, last
years cess.Tax roll for
year 1712.£94 of tax roll
proportioned.

29. Being interrogated, the whole members (except the commissioners for Perth, Dundie, Aberdeen, Glasgow, Aberbrothock, and Elgin, who adhered to the clause in the act of parliament, 1711), declared they were willing to pay their last years cess conform to the tax roll 1711; which, being considered by the convention, they remitted to the committee on the tax roll for the present and four succeeding years to bring in also a scheme of a tax roll for 1712.

30. The committee mentioned in the foregoing act reported it was agreed, for avoiding debates and differences, that Edinburgh should pay in the cess effeiring to £7 15s. 6d. in the tax roll, being the £4 for unfree trade and the balance remaining between the burghs who were to pay conform to the tax roll 1711 and the other burghs who were to pay conform to the valuations of the rents of their lands. The committee accordingly drew up a scheme which is contained in the first column of the subjoined table. It was also agreed that the sums advanced by Edinburgh for the recusant burghs should be repaid by the agent and placed in next year's account of missive dues.

31. The same committee brought in a scheme for a tax roll to endure for five years showing each burgh's proportion of £94 in the tax roll to be as in the middle column of the following table. For the remaining £6 the agent was appointed to pay £2 thereof out of what should be received from unfree traders; that Edinburgh should pay £2 for themselves and for Dundee, which is declared to be free thereof, and the balance of £2 to be equally proportioned amongst the burghs, except Edinburgh and Dundee, as in the last column of the following table, which embodies the schemes mentioned in this and the foregoing act.

				Tax roll for year 1712.		Tax roll for years 1713, 1714, 1715, 1716, 1717.		Proportions of £2 for each month's cess.		
Edinburgh	.	.	.	35	0	0	35	0	0	0
Perth	.	.	.	2	17	3	4	0	0	17 9 4
Dundie	.	.	.	3	8	9	4	0	0	0 0 0
Aberdeen	.	.	.	8	1	3	5	10	0	24 0 4
Stirling	.	.	.	1	5	0	1	5	0	5 9 2
Linlithgow	.	.	.	1	7	0	1	3	0	5 0 6
St Andrews	.	.	.	0	7	0	0	7	0	1 10 7
Glasgow	.	.	.	14	12	0	19	0	0	83 0 2
Air	.	.	.	1	1	4	0	18	0	3 18 7
Haddingtoun	.	.	.	1	6	0	1	6	0	5 13 6
Disart	.	.	.	0	3	0	0	3	0	0 13 1

Convention of Royal Burghs.

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	Tax roll for year 1712.	Tax roll for years 1713, 1714, 1715, 1716, 1717.	Proportions of £2 for each month's cess.	EDINBURGH. 20 July 1713. £94 of tax roll proportioned.
Kirkaldie	1 10 2	1 6 0	5 13 6	
Montrose	1 13 8	1 13 8	7 7 2	
Couper	0 15 0	0 12 0	2 12 5	
Anstruther Easter	0 2 0	0 4 0	0 17 6	
Dumfries	1 18 4	1 18 4	8 5 2	
Inverness	1 8 6	1 10 0	6 10 11	
Burntisland	0 6 0	0 6 0	1 6 2	
Innerkeithing	0 5 0	0 5 0	1 1 10	
Kinghorn	0 7 0	0 7 0	1 10 7	
Brechin	0 10 0	0 9 0	1 19 3	
Irving	0 10 6	0 12 0	2 12 5	
Jedburgh	0 19 0	0 19 0	4 2 10	
Kirkudbright	0 6 0	0 6 0	1 6 0	
Wigtoun	0 6 0	0 6 0	1 6 0	
Pittenuem	0 3 0	0 4 0	0 17 6	
Dumfermling	0 14 0	0 15 0	3 5 4	
Anstruther Wester	0 1 0	0 1 0	0 4 4	
Selkirk	0 10 0	0 10 0	2 3 8	
Dumbarton	0 6 0	0 6 0	1 6 0	
Renfrew	0 4 0	0 6 0	1 6 0	
Dunbar	0 8 0	0 8 0	1 14 11	
Lanerk	0 12 0	0 12 0	2 12 5	
Aberbrothock	0 17 3	0 12 0	2 12 5	
Elgin	1 4 0	1 5 0	5 9 2	
Peebles	0 9 0	0 9 0	1 19 3	
Crail	0 4 0	0 6 0	1 6 0	
Tayn	0 4 0	0 4 0	0 17 6	
Culross	0 3 0	0 3 0	0 13 1	
Banf	0 4 0	0 4 0	0 17 6	
Whithern	0 1 0	0 1 0	0 4 4	
Forfar	0 6 0	0 6 0	1 6 0	
Rothsay	0 4 0	0 4 0	0 17 6	
Nairn	0 3 0	0 3 0	0 13 0	
Forres	0 4 0	0 5 0	1 1 10	
Ruthglen	0 4 0	0 5 0	1 1 10	
Northberwick	0 1 0	0 1 0	0 4 4	
Cullen	0 1 0	0 1 0	0 4 4	
Lauder	0 5 0	0 5 0	1 1 10	
Kilrenny	0 1 0	0 2 0	0 8 9	

EDINBURGH.
20 July 1713.

£94 of tax roll
proportioned.

	Tax roll for year 1712.	Tax roll for years 1713, 1714, 1715, 1716, 1717.	Proportions of £2 for each month's DUES.
Annan	0 2 0	0 2 0	0 8 9
Lochmaben	0 1 0	0 1 0	0 4 4
Sanquhar	0 1 0	0 1 0	0 4 4
Newgallaway	0 1 0	0 1 0	0 4 4
Dingwall	0 2 0	0 4 0	0 17 6
Dornock	0 3 0	0 3 0	0 13 1
Queensferry	0 8 0	0 8 0	1 14 11
Fortrose	0 3 0	0 4 0	0 17 6
Kintoir	0 1 0	0 1 0	0 4 4
Inverurie	0 1 0	0 1 6	0 6 6
Inverarie	0 2 0	0 2 0	0 8 8
Wick	0 4 0	0 5 0	1 1 10
Kirkwall	0 12 0	0 14 0	3 1 0
Inverbervie	0 1 0	0 1 6	0 6 6
Stranraer	0 2 0	0 4 0	0 17 6
Campbeltoun	0 1 6	0 3 0	0 13 1
Agent, for unfree trade .	2 0 0	0 0 0	
Edinburgh, for unfree trade and balance	7 15 6	0 0 0	240 0 0

The commissioner for Perth protested against the apportionment, and the commissioners for Aberdeen, Glasgow, Aberbrothock, Anstruther Easter and Renfrew, adhered; and, thereafter the commissioner for Glasgow "gave in a paper which he called ane appeal, the tennor whereof followes" :—

Whereas by ane act of the tenth year of her Majesties reign granting ane aid to her Majestie to be raised by a land tax in Great Britain for the service of the year j^m vij^c and twelve, it is enacted that ane estimat or valuation should be made of the true and reall rent of all the lands, tenements, burrow roods, milns, fishings, and other hereditaments that have been in use to be taxed within the severall burrows of Scotland, and that the said estimat or valuation of the reall rent should be the rule by which the convention of burrows should ascertain the proportion of each burgh in the tax roll, and it is thereby provided that the estimat and valuation of the rent of each burrow appointed to be taken and recorded by the said act should be the rule and standard for making the forsaid tax roll at the following annual convention to meet at Edinburgh in July j^m vij^c and twelve, in prosecution whereof there was ane

estimat and valuation made upon the taxable rent of the most part of the said haill burrows of Scotland and laid before the convention, according to which they were required to determine the proportion of each burghs tax in order to the payment thereof, and offer was made of payment in these terms conforme to the protestation taken thereupon; likeas by another act of the twelve year of her Majesties reign for a land tax, it is provided that the proportions of the burrows of Scotland be raised and payed as the tax roll then was or should be settled by themselves, and forasmuch as, for preventing abuses and complaints in adjusting and settling the said tax roll, ane overture has been made by us that the above general rule by ane estimat or valuation of the free rent of the severall burrows should be observed or some other such certain rule as might secure the burrows from partiality and unequality, notwithstanding thereof the major part of the members of the convention of burrows met at Edinburgh in July j^m vij^c and thirten have proceeded to make up a tax roll by another rule, viz, the valuation of lands, the trade and com-mone good of the burrows, without mentioning what proportion each of the three should bear nor how to make the same practicable for ascertaining the proportion of each burrow, against which we protested that trade should bear no part of the burden, being a land tax, and against the uncertainty of the said rule did most unequally proportion the tax roll, whereby severall are highly prejudged and overburdened, therefor we undersubscribers, members of the said convention for the severall burrows subjoynd to our subscriptions which we represent, judging ourselves leised by the above procedure, do appeal therefrom for remeed to her Majestie and parliament and hereupon we take instruments in the hands af the clerks of the convention. [Signed by commissioners for Perth, Aberdeen, and Glasgow.]

EDINBURGH.
20 July 1713.
£94 of tax roll
proportione.

32. On the recommendation of a committee, the convention allowed to the Selkirk, 200 burgh of Selkirk 200 merks Scots, "in regard of their circumstances, towards the merks.
reparation of their milns and caulds."

33. Having considered a petition from the burgh of Wick, and that the Wick burgh had been heighted a shilling in the tax roll, the convention assigned to them what shall be recovered from unfree trades within the shire.

34. Having heard of the credentials from her Majesty in favor of Sir Conservators. Andrew Kennedy and John Vere Kennedy, his son, conservators, with letter

EDINBURGH. from Sir Andrew thereanent, the convention remitted the consideration thereof
 20 July 1713. to a committee to bring in the draught of a letter to the states of Zeland and
 Conservators. Town of Campvere.

Petitions remitted. 35, 36. Remitted petitions of the burghs of Peebles, Queensferry, Innerkeithing, Dunbar, Pittenweem, Disart, Rothesay and Stranraer to the committee appointed to revise the agents accounts.

Provost Yeaman's letter. 37. Remitted a letter from George Yeaman, late provost of Dundie, to the committee appointed to consider the memorials anent trade.

21 July 1713.

Agents accounts. 38. Approved of the agents accounts from July 1712 to July 1713. The following are amongst the items :—

For printing 1200 copies of the act of parliament concerning the linnen cloth	£72	0	0
Item, to the gardner of Herriots yards for flowers	11	12	0
To consulting the advocat anent the queries upon the clause, as per 31 act convention 1712, and to servants	86	8	0
To consulting ditto upon representation to the house of commons	86	8	0

Agent at London. 39. The convention elected Mr William Hamilton to be their agent at London in all affairs that may concern the burghs, and appointed their agent here to pay him £25 sterling yearly for his trouble.

Missive dues. 40. The committee reported a list of the burghs deficient in payment of their missive dues and appointed the agent to use diligence for recovery.

Allerdes, factor. 41. Admitted John Allerdes, younger, to be a staple factor at Campvere, on his father and James Nimmo, merchaut, Edinburgh, becoming cautioners for his faithfull discharge of that office. The bond of caution is recorded after the convention minutes.

Remits to committee. 42. Remitted to the committee which is to sit after dissolving this convention (1) "the memorial anent trade and anent takeing off the quarentine," and (2) "the letters written be Sir Andrew Kennedy, conservator, and by Provost Yeaman of Dundie, directed to Sir Robert Blackwood of Pitrvavie, their preses."

Sir Robert Forbes. 43. Ordained the agent to pay the balance due by the burghs to Sir Robert Forbes, late agent, on decree against the burghs being extracted and sufficient caution being found to relieve the burghs against all arrestments, assignations, reductions and other diligence.

John Buchan. 44. The committee reported that they are to meet John Buchan this night in order to have a full understanding of the process at his instance against the burghs.

Innerkeithing. 45. On petition from Innerkeithing, the convention appointed a committee to visit the burgh and report its condition to next convention.

46. Delayed, till next convention, consideration of petitions from Pitten-
weem, Queensferry, Dunbar, Rothesay, Sanquhar, Wick and Campbeltoun.

EDINBURGH.
21 July 1713.
Petition is
delayed.

22 July 1713.

47. Having considered commission from Tain, the convention authorised Tain.
that burgh to grant feus or long tacks of the muirs belonging to them for the
better improving thereof.

48. Having considered petition from Hadingtoun, they authorised the burgh Hadingtoun.
to set long or short tacks of the skirts of Gladsmuir for improving thereof and
preventing encroachments.

49. Having considered petition of Disart, the convention appointed a com- Disart.
mittee to visit the harbour and pier and to report.

50. The committee appointed to consider the process at the instance of John Buchan's
John Buchan, late agent, having reported "that they fand the affair to be in- process.
tricat and would require time to understand it fully," the convention remitted to
them to consider the process seriously and to report to next convention.

51. Having considered petition from Stranraer, complaining of several hard- Stranraer.
ships from unfree traders, the convention made over to the burgh their power of
executing the laws and acts of parliament against unfree traders in so far as con-
cerns the burgh and district.

52. Appointed a committee to sit after the dissolving of this convention to Committee.
consider everything relating to trade, the staple port, and unfree traders, and what
else shall be remitted to them by this convention.

53. Appointed Robert Panton, one of the staple factors at Campvere, to Robert Pan-
renew his cautioners, one of them being dead, and to cause his wife who is a ton, factor.
Dutch woman, renounce the benefit of the Dutch law and jurisdiction and sub-
ject herself to the law and jurisdiction of Scotland, and also to pay up his by-
gone conservator dues.

54. The convention, "considering that ther may be occasion for advancing Lord provost
of money for promoting and carying on of bills that may be presented to the of Edinburgh,
parliament for the encouragement of the trade of the nation and other concerns £100 for burgh
of the royal burrows," granted warrant to the lord provost of Edinburgh to draw affairs.
upon the agent to the extent of £100 sterling for what money may be necessary.

55. On report of the commissioners appointed to visit Peebles, the conven- Peebles, £100.
tion allowed £100 Scots "of present supply, in respect of the low conditione of
the said burgh."

56. Appointed certain commissioners "to return the conventions hearty General
thanks to Archbald Douglas of Cavers, her Majesties generall receiver, for his receiver, etc.
kindness to the burrows," and appointed the agent to pay to Gavin Plummer, his

- EDINBURGH. deputy receiver, fifty guineas as a gratuity for his good services, and to Alexander
22 July 1713. Innes, his clerk, five guineas of gratuity.
- Sellaries. 57. Appointed the agent to pay certain salaries and gratuities.
- Recommendation, Moncur, barber. 58. The convention "recommended James Moncur, their officer, to the favour of the incorporatioun of the chirurgians of Edinburgh in order to get up his bond granted to them at his admission as a barber."
- Convention dissolved. 59. Dissolved the present convention and appointed next general meeting to be held at Edinburgh in July 1714, "reserving alwayes power to the lord provost of Edinburgh for the time being, to call a conventione *pro re nata* as he shall see cause betuixt and that time."

MEETINGS OF COMMITTEE *held at* EDINBURGH.

26 November 1713.

- EDINBURGH. Edinburgh, William Hutcheson and John Monro; Aberdeen, Robert
26 November Steuart; Stirling, Collonel John Erskin; St Andrews, Alexander Watson;
1713. Glasgow, John Aird and Thomas Smith; Montrose, Alexander Arbuthnet;
Sederunt. Dumbarton, Sir James Smollet; Craill, Simpson; Tain, William Ross;
Banf, Sir Alexander Ogilvie; Whithern, John M'Govan; Lauder, George Walker.
- Preses. 1. George Warrender of Lochend, lord provost of Edinburgh, elected preses.
- Memorill anent trade. 2. The committee remitted to the burghs of Edinburgh, Aberdeen, Glasgow, Montrose and Dumbarton, to consider the former tuo memorials anent trade,* and to give in to the committe a new draught of a memorial in so far as the trade is open and not determined by the treaty of commerce, and to report; and recomended to the forsaid burghs to wait upon Generall Ross in the meantime and discourse him on the said matter.
- Letter from Robert Pantoun, staple factor. 3. The committee read a letter from Robert Pantoun wherein he demitts his office as staple factor, whereof the tennor followes: My lord,— Upon my return from Holland I found your predicessors letter, accompaning ane act of the royal burrows relative to me. Truely, my lord, I never thought that one who caryed your commission for so many years with so much unspoted candor could have met with such ane positive resolution from your honourable board without having first been wrot to and heard on the matter. My lord, I am not ignorant of the source of this your honours resolution, so I presume I may advance that I want not

freinds to give sufficient baill if I inclined it, but in place thereof I must acquaint your lordship, as preses of the royal burrows, that I resigne my commission as factor into your hands, never being determined to submit my estate (if it should please the Lord to call me) to the manadgement of Sir Andrew Kennedy as conservator, seeing that I have but too much knowledge that some of his predicessors having, as is alloued them by the staple contract, taken the manadgement of the then deceast factors estates whereby several of your burgers, as well as the Scots poor here, lost considerable money, and I heartily wish that the like never fall out againe. My lord, if any of your members think it interest to correspond with me for the short time I intend to reside in this countrey, I thank Almighty God they may do it with safty, seeing I am able, without borrowing or giving bail, to advance the value of all the effects I have known come at any time in several years, and that at ane interest of 4 per cent per annum for the time I may come to be in advance, albeit the staple contract allowes six per cent; and, with modesty, my lord, this at least equall to ballance [any] baill that is or can be given to your honours. My lord, as to Sir Andrew Kennedies dues, if he had done me justice he would have told you that I wrote him in November last that I was willing to clear with him, which I confirmed to him of late, but withall I told him that he and his son would be found more in my debt then I am in theirs, which I can make appear to all the world. My lord, as I return my hearty thanks to the right honourable the royal burrows for the honour I have had in carying their commission so many years, so I intreat that your honours will beleive nothing to my prejudice untill I be heard thereon; and, my lord, as I do without vanity advance againe that I have to the utmost of my power on all occasions acted for the honour and intrest of your state, so our glorious Queens plenypotentiaries were pleased to call me in April last to Utrecht where I had the honour that their lordships demanded my thoughts of the then to be made treaties of commerce and tarriiffs. My lord, I most earnestly wish all immaginable felicity to your state and several members therof, and I shall never faill to demonstrat how sincerely I am, [etc.] Robert Pantoune. Campveer, October 7th 1713. Direct to George Warrender of Lochend, lord provost of Edinburgh. And are of opinion that in regard of the said demission the committe

EDINBURGH.
26 November
1713.

Letter from
Robert Pan-
toun, staple
factor.

EDINBURGH.
26 November
1713.

Letter from
Robert Pantoun, staple
factor.
Recommendation to
members who
are to wait on
General Ross.

cannot meddle any further in the affair betuixt Sir Andrew Kennedy and the said Robert Pantoune, and recomended to their preses to acquaint Sir Andrew Kennedy herewith and to transmitt a copy of Mr Pantouns letter to him for that effect.

4. The committe recomended to the members that are to wait on General Ross that they discourse with him upon the following heads, viz :

(1) That the subjects of Great Britain may not be confined to import their salted fish in barrels only but may be imported into all the ports and territories of France, either wett or dry, for payment of the same duties their own subjects do pay.

(2) Whereas by the treaty of commerce the fifty solse per tun seems to be taken away, yet, seeing we payed formerly seventy solse per tun, it is to be noticed if the twenty solse that afterwards was laid on be taken off as well as the fifty solse.

(3) That it be noticed what is comprehended under the name searges, seeing it is one of the excepted species, for we are of opinion that it does not comprehend our shalones, broad and narrow fingrames, or other manufactures fit for lynng.

7 January 1714.

7 January
1714.
Sederunt.

Edinburgh, William Hutcheson ; Perth, Robert Robertson ; Stirling, John Erskine ; Glasgow, Thomas Smith ; Kirkaldie, James Oswald ; Inverkeithing, John Cant ; Pittenueem, Mr Robert Clelland ; Dumbarton, Sir James Smollet ; Dunbar, William Fall ; Banf, Sir Alexander Ogilvie ; Lauder, George Walker ; Annan, Sir William Johnston ; Newgallaway, John Hog ; [seventeen burghs *blank*].

Preses.

1. George Warrender, lord provost of Edinburgh, elected preses.

Committee,
address and
memoriall.

2. The committee, considering that the commissaries appointed by her Majestie with these appointed by the French King are met at London in relation to a treaty of commerce with France, and having considered memorialls sent to them by several trading burrows, and also taken advice of several trading merchants here, they remitted to a committe of their own number to bring in the draught of ane address to be presented to her Majestic and of a memorial to be presented to the said commissaries.

19 January 1714.

2. The committee, upon report of the subcommitte appointed to prepare the draught of ane address to be presented to her Majestie^e and of a memorial to be presented to the commissaries met at in relation to a treaty of commerce with France, agreed to the said address and memorial and appointed the address to be signed by the lord provost of Edinburgh, their preses, to be transmitted with the memorial by his lordship to the Earle of Mar, principal secretary of state, to be presented by him to her Majestie, and to write to the Earle of Oxfoord and to Mr James Murray, one of the saids commissaries, thereanent, of which the tennors follows :

EDINBURGH.
19 January
1714.

Address and
memorial
approved.

To the Queens most excellent Majestie, the humble address of the committe of the royal burrows of Scotland, appointed by act of the convention of the said royal burrows dated the twenty second day of July one thousand seven hundred and thirteen years to sit after the dissolution of the said convention about matters of trade and concerns of the said royal burrows. Wee, your Majesties most faithful, loyal and obedient subjects, presume to approach your royal Majestie with hearts full of most gratefull and humble acknowledgements for the many advantages which we enjoy in commone with our fellow subjects, and in particular for your Majesties royal care to advance and encourage the trade of Great Britain, and more especially what concerns this part of the Island, and being informed that the commissaries are appointed on the part of your Majestie to treat with the like commissaries from the French King for settling of trade between your Majesties subjects and the subjects of that Prince, wee do judge it our duty, with all due respect and submission, to lay before your Majestie the desires and wishes of the trading people in the several burrows of Scotland, zealous for your Majesties glory and the trade of Great Britain, whereby the riches, wellfare and tranquillity of your people may be increased and preserved and your Majestie and your royal successors enabled to maintain that power and greatness so necessary for the happiness of your subjects and the peace and quiet of Europe. Wee have digested the heads of the severall petitions and schemes that have been transmitted to us from the trading places in Scotland into a

Address to
her Majestie.

EDINBURGH.
19 January
1714.

Address to
her Majestie.

memorial which we have presumed herewith to transmitt and whereunto we beg leave to refer ourselves, humbly intreating that your Majestie may give such directions to your saids commissaries concerning the matters therein contained as to your Majestie in your wisdom shall seem meet. At the same time, most gracious Sovereign, permit us with sincere and humble duty that is due from the most faithful subjects to your Majestie, the best of Princes, to desire that, seeing in the treaty of peace France could not be induced quite to give up Newfoundland to your Majestie but to reserve to herself the liberty of fishing in those parts, whereby the consumpt of fishes, the native treasure of your Majesties dominions, is considerably impared, your Majestie will be pleased, out of your princely care of your peoples true intrest, to recomend to your commissaries to have the several particulars relating to our fishing contained in our memorial effectually established by the present treaty. Lastly, give us leave to offer our heartiest prayers to Almighty God, as we do with the greatest sincerity, for the preservation of your Majesties most precious life and health for many years to come, and that your Majestie may long continue to have the glory and joy of being the delight of all your people and terror of your enemies. Signed, in name and by warrant of the committe of the royal burrows. *Sic subscribitur*: GEO. WARRENDER, preses.

Memorial
treaty of com-
merce with
France.

Memorial from the royal burrows of Scotland in relation to the
• present treaty of commerce with France.

Whereas by the ninth article of the treaty of commerce betuixt France and Britain, concluded at Utricht the fourth day of March last, it is provided that, within two months from the exchange of the ratifications of the said treaty, commissaries on both sides shall meet at London to consider of and remove the difficulties concerning the merchandizes to be excepted out of the tarif, 1664, and concerning other heads by which the said treaty are not yet fully adjusted, and at the same time the said commissaries shall likewise endeavour (which seems to be very much for the intrest of both nations) to have the methods of commerce on one part and of the other more thoroughly examined, and to find out and establish just and beneficial means on both sides for removing the difculties in that matter and for regulating the duties mutually; we humbly conceive by

the saids clauses there is latitude given to treat not only upon the four excepted species from the ninth article but also upon all other matters of commerce, as well excepted as not excepted, contained or not contained in the instrument of specification, and, therefore, with much submission, we think it indispensibly necessar for the intrest of Britain to offer the following proposals, to be considered and adjusted by the honourable commissaries appointed by her Majestie for that effect, viz :—

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Memorial
treaty of com-
merce with
France.

(1) That the importation of whalebone, cut and prepared fins, and oils of whales, paying the duties appointed by the tarif 1664, by the subjects of Great Britain into France, deserves to be insisted upon, because howsoever the Greenland trade from Great Britain be now laid aside, yet a proposal for retriiving and establishing that trade is to be laid before the parliament next session.

(2) Whereas, by the tarif 1664, serges of Flanders and England are charged with six livers upon the piece of twenty ells, and whereas also there are fabricks of manufacture in Scotland, much inferior in goodness, having different denominations from the serges of England and Flanders, and which are yet serviceable for particular uses and are good subject of trade, such as plaids, blankets, fingrams and course serge for lynning, and Gallaway whites, it is humbly proposed that the said article be explained, and declared not to comprehend these species of manufacture; and also, whereas Scots plaiding is charged with a duty equal to a prohibition by the tarif 1664, it is humbly proposed that the saids manufactures of plaids, blankets, broad and narrow fingrams, course serges for lynning, Galloway whites and plaidings, imported into France, be charged with a duty *ad valorem* not exceeding five per cent.

(3) That salt fish mentioned in the third specificatione be explained as meant of cod fish, ling and hake only, and be imported as well in bulk or pile as in barrels, paying the same duty which the subjects of France themselves pay, and that these duties be no higher as are settled by the tarif 1664, being eight livers ten sols per hundred dozon of dry fish, three livers per hundred dozon green or mud fish when imported in pile, and seven and a half livers per last of twelve barrels when in cask, because the package in cask is in some parts of Britain very inconvenient and yet more so in Newfoundland. The charge of casks amounts to a third part of

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Memorial
treaty of com-
merce with
France.

the price of the fish and they increase the tunnage a sixth part, and the Hollanders, who have so great intrest in the fishing trade that they may be safely made a pattern in this case, allow the importation of green and dry fish, paying about five gilders per hundred dozen, and of cod fish in barrels paying thirty four stivers per last. It is also obvious that, if the restrictions upon this branch of trade as proposed by France take place, the subjects of Britain will not be able to import cod fish into that kingdom, and these restrictions being visibly designed for the increase of the French fishing will very much prejudice the consumption of herrings and salmon as well as the trade of white fishing.

(4) That sugar of all sorts be admitted into France upon the duties payable by the tarif 1664.

(5) That the duty upon salmon be no higher then is stated by the tarif 1664, being six livers per last of twelve barrels.

(6) That the duty on British white herrings bear proportion to the duty on Dutch herrings, which by the tarif 1664 being sixteen livers per last of twelve barrels, the duty on ours ought not be above twelve livers, because the Dutch herrings are everywhere valued a fourth part more as ours, albeit our herrings be imported upon duties proportionable to their goodness will find sufficient mercats.

(7) That if a new terif be settled, the article of dried haddocks be not left out nor altered, and small cod under fourteen inches long be rated as such; because North Britain affoords considerable quantities of both.

(8) That neither salmon nor herrings be subjected to inspection or survey by curemasters, unless it be done immediately on arrival, or before sale, in order to determine whether they be wholly insufficient or not, because the practice of surveying after sale and giving abatement for wracks is of no other use but to lessen the price, and frequently the curemasters favour the buyer so much as to reduce the stipulat price one fourth without just reasone. The fish, especially the salmon, likewise suffer by being exposed to the air on occasion of their survey; but, if at any time the seller shall choose to dispose of his herrings or salmon upon cure, he shall be priviledged to retain or deliver those that are wrackt as he pleases.

(9) That the importation of tobacco without any incumbrance from farmers, the liberty of selling to any buyer, and the ceasing of the practice of farmers, deserves to be insisted on, and that a moderat duty be stipulat, because it is a valuable part of the product of the British plantations and the extending of its consumpt in France will very much conduce to ballance our trade with that kingdom.

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Memorial
treaty of com-
merce with
France.

(10) That the exemption of the duty of tunnage be explained, because the treaty speaks of the duty of fifty sols, whereas the duty last payed was seventy sols per tun, and the fourth article of the instrument of specification on the part of Britain refers to this.

(11) That the duties on worsted stockings be no higher then as in the tarif 1664, being fifty sols per hundred pounds weight.

(12) That salt pork in barrels be allowed to be imported, paying twenty sols per barrel, which bears proportion to the duty settled upon baccon by the tarif 1664 of twenty sols per hundred pound weight, because a hundred pounds baccon is equal in value to tuo hundred pounds salt pork.

(13) That the duty of three sols per barrel upon coals, settled by the tarif 1664, be reduced to one sols per barrel or five livers per centner of one hundred barrels, because it is a duty equal to half the prime cost of the coal.

(14) As the French have contented themselves with the priviledge of importing their commodities upon as easie duty as any other nation in Europe import the like, we judge Britain ought to reserve to herself a power of raising and lessening the duties of all imported goods, especially linnen, as circumstances direct, because if French liunens are admitted upon the duties payable at present by Hollond and Hamburgh, we are of opinion the linnen manufacture of North Britain, Ireland, and several counties in England, must be ruined.

(15) That the provincial duties on all commodities from henceforth ceass, and free access to all ports in France be allowed, because both these manifestly tend to incumber the British trade in that countrey. The former lessens the consumpt of the commodities burdened with them, and is a plain method of eluding what is stipulat concerning a moderat duty at importation, as appears in the instance of salmon, the provincial duties

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1714.

Memorial
treaty of com-
merce with
France.
Letter to the
Earle of Mar.

whereof at present betuixt Haver de Grace and Paris extend to no less as fifty livers per barrel, and French goods are neither restricted to any particular ports in Britain at their importation nor lyable to any provinciall duties.

May it please your lordship,—Wee, being informed that her Majestie had appointed commissaries to treat with these from France in relation to the trade and commerce betuixt the tuo kingdoms, thought it our duty to meet and consider what proposals were fit to be made towards the establisment thereof, and in pursuance of the same have draun up ane address to the Queens Majestie, with ane memorial concerning trade, which we judged most proper to come first to your lordships hands, and we most humbly desire the honour of your patronizing and assisting us in so great and important ane concerne, and that your lordship may lay the memorial before the Queen's Majestie in order to obtain her royal favour and recomendation of it to her commissaries. Your lordship knowes well how much of this nations intrest depends upon the right management of this great affair, considering at what ane low ebb the trade of this part of the kingdom is at present; and we dare assure your lordship that what is said in the address and memorial is the universall sentiment of the trading people here, and as nothing can more aggrandize your lordship and noble family then to be the instrument of retring your native cuntry, and so in particular it will lay the greatest obligation upon the royal burrows of Scotland, to be upon all occasions, my lord [etc.]. *Sic subscribitur*: Geo: Warrender, preses. Edinburgh, 19th January 1714.

Letter to the
Earle of
Oxford.

May it please your lordship,—No sooner we were apprised that her Majestie had appointed commissaries to meet with those from France upon the treaty of commerce then immediatly thereafter warrands were issued to such of the royal burrows within this part of the kingdom as are most conversant in trade to prepare such overtures as might be proper at this juncture, and severall of the representatives of these burrows having convened at this place for that end, we have prepared ane memorial to be humbly offered to your lordship containing our thoughts upon that subject, which we hope, as it is designed by us for publick advantage, so may be of use in the progress of the treaty. My lord, the importance of this matter does necessarily call for the assistance of the

great ministers of state. We reckon ourselves happy that a noble persone of so much experience and capacity as your lordship is justly esteemed, is, by your high station and character, the better enabled to advance the general good and advantage of Great Britain. My lord, give us leave to say that, as this matter is of universal concern, so it may be worthy of your lordship to be the happy instrument of reviving our decayed trade, for which end we humbly beg your lordship may be pleased to interpose your endeavours, which, as it will be ane lasting monument of your honour and vertue, so it will endear the hearts of all the trading people amongst us to your lordship, and your noble family, whom we wish heartily to prosper, being with the greatest duty my lord, [etc.]. *Sic subscribitur*: Geo. Warrender, preses. Edinburgh, 19th January 1714.

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1714.
Letter to the
Earle of
Oxford.

Sir,—Howsoon we were informed of your character as one of the commissaries for the treaty of commerce (wherein we heartily wish you good success) there was a meeting called of the most part of our trading burrows to consider what was incumbent for us upon this occasione, and having accordingly convened at this place we have prepared and do herewith transmit the enclosed memorial to be considered and improven by you to the best advantage. Our sentiments in this matter proceed from our earnest desire to retrieve the decayed state of our trade, and we doubt not you will imploy your uttmost endeavours for that end, seeing the opportunity to do it is your province, and it will very much conduce to your honour and reputation to be the happy instrument of advancing the great intrest of your native countrey. What we have said in the memorial is not to hinder anything further to be added by yourself for the benefit of commerce, whereanent we hope you will have your deliberat and serious thoughts. Meantime, separately from the memorial, it may be in your own prudent way suggested to the commissaries for France that they have the less ground to stop at any concessions to be made for Britain, in regard they will certainly suffer by the loss of the Portuquize and Hamburgh, and likewise it may be worthy of your consideration that it is more then apparent that the importation of French linnen upon as easie duties as these from Hamburgh will exceedingly prejudice that manufacture in North Britain which is the most valuable branch of our trade, so that it seems absolutly necessar that Britain reserve to herself the power of raising

Letter to the
honorabill
James Murray,
esq.

EDINBURGH.
19 January
1714

Letter to the
honorabill
James Murray,
esq.

the duties on French and German linnen and of denying any drawbacks upon French linnen when exported to the plantations. We hint at this lest anything should be offered upon the part of France to prevent the British parliaments enacting either of these, but if nothing concerning this be moved by the commissaries of France then the other needs not be spoke of. Be pleased further to know that we rest satisfied in the duty imposed by the tarif 1664 upon worsted stockings, being fifty sols per hundred weight, and ought therefore to be continued, but if any alteration be offered you'll please to distinguish North British knit stockings from English loom stockings and fix a lesser duty upon the former as being of less value. Upon the whole matter we do most earnestly intreat and expect that you will exert yourself for the honour and intrest of your cuntry in all this negotiatione, which, besides many other good effects it will produce, so it will in particular determine and oblige the royal burrows of Scotland to approve themselves at all times, Sir, your, [etc.].
Edinburgh, 19th January 1714.

12 February 1714.

12 February
1714.

Sederunt.

Preses.

Letter from
Earle of Mar.

Edinburgh, William Hutcheson ; Stirling, John Erskin ; Kirkaldie, James Osuald ; Annan, Sir William Johnston ; Lauder, George Walker ; Innerkeithing, John Cant.

1. George Warrender of Lochend, lord provost of Edinburgh, elected preses.
2. The lord provost of Edinburgh presented to the committe a letter direct to his lordship from the Earle of Mar, principal secretary of state, informing that he had laid before her Majestie the address from the committe of burrows, with the memorial to which it refers, and that the Queen was pleased to order his lordship to refer the said address and memorial to the board of trade to be compared with the memorials sent from Scotland in relation to trade when the treaty of commerce with France was in agitation, and which his lordship in obedience to her Majesties command had accordingly done.

Letter from
Mr James
Murray.

Another letter from Mr James Murray, one of the British commissaries for adjusting a trade with France, direct also to the lord provost, was also read before the committe, both which letters being considered by them they recomended to the lord provost, in their name, to write ane

letter of thanks, both to the Earle of Mar and Mr Murray, with the first conveniencie ; and, in regard some particulars in Mr Murrayes letter did require the deliberat thoughts of the committe, they did recomend to the commissioners for Edinburgh, Stirling and Craill, together with Mr Wightman, to consider seriously what may be proper by way of particular answer to return to Mr Murrayes letter, and to bring in a draught of their thoughts thereupon to the committe at next meeting.

EDINBURGH.
12 February
1714.
Letter from
Mr James
Murray.

16 March 1714.

Edinburgh, William Hutcheson ; Stirling, John Erskin ; Pittenueem, Mr Robert Clelland ; Dumbarton, Sir James Smolet ; Whithern, John M^cGouan ; Lauder, George Walker ; Newgalloway, John Hog.

16 March 1714.
Sederunt.

1. The lord provost of Edinburgh elected preses.
2. Adjourned, till Friday next, consideration of Mr John Buchan's claim against the royal burrows.

Preses.
Buchan's
claim.

3. The committee, taking under their consideration that, by the thirty first act of the general convention in July last, the tax roll of the royal burrows was settled for the space of five years, and that only three of the members, viz., the commissioners for Perth, Aberdeen and Glasgow, were dissenters from the samen, and also, by the thirty ninth act of the said convention, Mr William Hamilton is appointed agent by the said convention for managing all their affaires at London, as the saids tuo acts in themselves fully bears, and the committee being informed that some or all of the saids dissenting burrows intend to apply to the parliament of Great Britain for altering and changing of the rules observed by the said convention in settling the tax roll, which would be of dangerous consequence to the state of the royal burrows, who have been in the immemorial possessione of settling their own tax roll and have the undoubted right sua to do, therefore the committe recomends to the lord provost of Edinburgh, their preses, to write to the said Mr William Hamilton that he use his utmost endeavours to stop and hinder any change or alteration that may be designed or prosecuted against the said act of convention which has settled their tax roll, or for innovating the priviledges of the royal burrows in proportioning amongst themselves the supply already granted or that may be granted hereafter to her Majestie, and all other

Tax roll.

EDINBURGH. designs whatsoever which may tend to the prejudice of the said royal
 16 March 1714. burrows.
 Tax roll.

19 March 1714.

19 March 1714. Edinburgh, William Hutcheson ; Stirling, John Erskin ; Pittenueem,
 Sederunt. Mr Robert Clelland ; Dumbarton, Sir James Smollet ; Whithern, John
 M^cGouan ; Lauder, George Walker.

Preses. 1. The lord provost of Edinburgh elected preses.
 Buchan's 2. The committee having met to consider John Buchan's claim against the
 claim. burghs, "and having called Mr George Buchan, son to the said Mr John, he
 returned answer that he could not come abroad by reasone of his indisposition."

23 March 1714.

23 March 1714. Edinburgh, William Hutcheson ; Perth, Robert Robertson ; Dundie, Mr
 Sederunt. Henry Guthrie ; Glasgow, John Aird ; Hadingtoun, Richard Miller ; Kirkaldie,
 Mr James Oswald ; Dumbartoun, Sir James Smolet ; Lauder, George Walker.

Preses. 1. The lord provost of Edinburgh elected preses.

Letters agreed 2. The committee having considered Mr James Murray's letter to
 to. the lord provost of Edinburgh, they agreed to the letters following, and
 recomended to their said preses to signe and transmitt the same to
 the said Mr James Murray and Sir James Steuart, and appointed the
 same to be recorded, of which the tennor followes :—Sir, In my last I
 Letter to Mr told you of my designe to call the committe of the royal burrows together
 James Murray. that they might give ane return to yours of the fourth of February, and
 accordingly advertised them to meet this day for that end, but a great
 part of the committee have sent their excuses that they could not attend
 the diet. These few that are come up have had your letter under
 consideration, and all of us are convinced both of your fitness and good
 inclinations to promote the intrest of this nation, and it appears to us that
 as you have a true notione of trade, without which it cannot flourish, so
 that what you desire to be satisfied of in relation thereto is very much to
 the purpose. Sir, the address, and memorial transmitted therewith to her
 Majestie, was the result of the most deliberat thoughts the committee
 could offer upon the subject of trade, and it's hoped the reasons given to
 enforce their demands will be found of weight. Meantime, for your

further satisfaction, the committee have recommended to the members of the royal burrows who represent them in parliament to wait on you from time to time and advise what may be necessary in the progress of your negotiation, and particularly to give their opinion as to what arguments may be used for granting the demands made and to resolve these doubts proposed by your letter, wherein we hope they will be able to give you full satisfaction, and as to which we have at length given them the thoughts of the committee here; but upon the whole matter a great deal depends upon yourself, whose prudent management and concerns for your country we have no reason to doubt, and we give you all assurance that the royal burrows will always retain a just sense of your favour and justice. I am, Sir, [etc.]. Edinburgh 23d March 1714.

EDINBURGH.
23 March 1714.
Letter to Mr
James Murray.

Gentlemen,—The committee of the royal burrows appointed by the last general convention being called to meet here this day to consider the letter sent them by Mr Murray, one of the commissaries for the treaty of commerce, in relation to some doubts which he proposes concerning the memorial transmitted to him, of which letter we send you inclosed a just copy, whereby you will perceive in what he desires to be satisfied. Such of your number as were present at the drawing thereof may remember the grounds we went upon and the reasons enforcing the same, and now that Mr Murray seems to be straitened in a few particulars, namely, that we desire as to some commodities to have the duties lessened than what they were by the tariff 1664, next as to the value of the Dutch herrings above ours, and, last, that of the Hamburg and Portuguese trade. As to the first of these, it is of small moment, there being but a few species of goods craved to be lessened from the tariff 1664, and we hope, all things considered, will not be grudged. As to that of the herrings, we cannot say, but our west and Lewis fishing are equal in value to the Dutch herrings though it alters a little in the fishes of this and the Murray firth. And for the Hamburg and Portuguese trade, the memorial sent up is sufficiently well grounded, and we send you inclosed a note which will further clear it. You have likewise, inclosed, a copy of our answer to Mr Murray, by which you will find what we have recommended to you, and as we most earnestly desire, so we certainly expect, you will meet with Mr Murray at such times as you see fit and give him your advice and assist-

Letter to Sir
James Steuart,
&c.

EDINBURGH.
23 March 1714.
Letter to Sir
James Steuart,
&c.

ance in what may relate to the trade of this country, with the best arguments you can use to enforce the reasonableness of our memorial which will occur better to you at this and other occasions than can be thought of by us, considering not only your own knowledge and experience in matters of trade, but likewise the advancement you will make therein by your conversation with others and what you will occasion to heart fully spoke of when the eight and ninth articles come to be considered, all which we doubt not ye will improve and lay out yourselves for the intrest of your native country. We give you our best wishes ; that good success and prosperity may attend both your publick and private concerns, is heartily desired by, gentlemen, your most humble servant: Geo. Warrender, preses ; W. Hutchesone for Edinburgh ; John Aird, Glasgow ; Ja. Smollett, Dumbarton.

P.S.—Be pleased to communicat this to Sir David Dalrymple, Sir William Johnston, Provost Yeaman, Thomas Smith, James Osuald, and such others of our members as you shall think fit.

26 March 1714.

26 March 1714.
Sederunt.

Edinburgh, William Hutcheson ; Stirling, John Erskin ; Pittenueem, Mr Robert Clelland ; Dumbarton, Sir James Smollet ; Elgin, Mr Robert Dunbar ; Lauder, George Walker.

Preses.

1. The lord provost of Edinburgh elected preses.

Quotas of
unfree trade.

2. The committee having considered the affair betuixt Mr John Buchan and the royal burrows as to his claim against them, they, in order to report their opinion to the convention, ordain Mr Buchan to instruct what way he was interpellated from uplifting the several quotas of the unfree trade, imposed upon the several burghs of barrony and regality by the comission of parliament, for his payment and relief from the year j^m vj^c and nintie tuo to the year j^m vj^c and ninty seven, of what he had undertaken for the burrows, and for that end to produce before the committee upon Thursday next, at three o'clock afternoon, either a minut or act of parliament, or some other document thereof, together with ane fitted accompt betuixt Robert Rutherford of Fairnilie and the said Mr John Buchan in relation to the said affair.

Convention of Royal Burghs.

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6 April 1714.

Edinburgh, William Hutcheson ; Stirling, John Erskin ; Montrose, Mr Alex. Arbuthnet ; Dumbarton, Sir James Smollet ; Newgalloway, John Hog. EDINBURGH.
6 April 1714.
Sederunt.
Preses.

1. The lord provost of Edinburgh elected preses.

2. Under the remit contained in the 43d act of last generall convention, the committee agreed that the agent should pay £1352. 6s. Scots as the balance due to Sir Robert Forbes of Auchinhove, late agent of the burghs, conform to a decret of the lords of council and session. Money due to
Sir Robert
Forbes.

GENERAL CONVENTION *held at* EDINBURGH.

Edinburgh, William Hutcheson and John Monro ; Perth, Robert Robertson ; Dundie, Mr Henry Guthrie ; Aberdeen, John Alardes ; Stirling, Collonel John Erskin ; Linlithgow, Alexander Glen ; St Andrews, Alexander Watson ; Glasgow, John Aird ; Air, Robert Moor ; Hadingtoun, Richard Miller ; Disart, David Thomson ; Kirkaldie, Mr James Oswald ; Montrose, David Skinner ; Couper, Mr Thomas Hope ; Anstruther-Easter, Mr James Graham ; Dumfreis, John Corsbie ; Inverness, Mr Alexander Clark ; Burntisland, Alexander Burnet ; Inverkeithing, John Cant ; Kinghorn, William Birrell ; Brechin, Mr Andrew Doig ; Irving, John Hamilton ; Jedburgh, John Simpson ; Kirkudbright, John Kirkpatrick ; Pittenueem, William Bell ; Dunfermling, Mr David Walker ; Anstruther-Wester, John Cunningham ; Selkirk, Andrew Wauch ; Dumbarton, Sir James Smollet ; Renfrew, Mr John Cochran ; Dunbar, William Fall ; Lanerk, William Inglis ; Aberbrothock, John Hutcheson ; Elgin, Mr Robert Dunbar ; Peebles, Robert Forrester ; Crail, Henry Crawford ; Tain, Hugh Ross ; Culross, Mr William Cochran ; Banf, Sir Alexander Ogilvie ; Whithern, John M^cGouan ; Forfar, Charles Dickson ; Rothsay, Archbald Steuart ; Forres, Ludowick Brodie ; Ruthglen, William Spence ; North-Berwick, James Miller ; Cullen, Mr John Philp ; Lauder, William Smith ; Annan, Sir William Johnston ; Sanquhar, Abraham Crichton ; Newgalloway, William M^cCourtie, Queensferry, Eduard Hill ; Fortrose, William Tolme ; Inverurie, John Ferguson ; Kirkwall, John Covingtrie ; Stranraer, Mr Robert Dalrymple ; Campbeltoun, Mr Robert M^cColline ; [ten burghs *blank*.] EDINBURGH.
6 July 1714.
Sederunt.

6 July 1714.

1. George Warrender of Lochend, lord provost of Edinburgh, elected preses. Preses.

2. Appointed a committee to consider the commissions and report their opinion thereanent. Committee to
revise com-
missions.

7 July 1714.

EDINBURGH.
7 July 1714.
Commissions
approven.

3. Having heard report of the committee, the convention approved of all the commissions, but, some of them not being exactly in terms of the platform, "they hereby declare that in case any of the royal burrows shall not in time coming send their commissions in the terms of the said platforme they shall incur the certifications therein contained."

Committe,
generall mis-
sive.
Remits to
committe.

4. Remitted to a committee to consider the present missive and what else shall be remitted to them.

5. Remitted to the above committee to consider and report on a letter from Sir Andrew Kennedy in relation to the staple port, together with a memorial to her Majestie and a petition to the house of peers.

Robert Pantoun,
Dutch letter.

6. Remitted to the same committee a letter from Robert Pantoun, merchant in Campvere, and "appointed a letter, writ in Dutch, from the toun of Campvere to the convention to be translated into English and then to be laid before them."

Peebles,
Rothsay.

7. Remitted to the same committee petitions from the burghs of Peebles and Rothsay.

9 July 1714.

Heads of
missive con-
tinued.

8. Articles mentioned in the 6 act of last general convention continued to be heads of next missive, excepting those relating to Sanquhar and the harbour of Burntisland. The convention also discharged John Allardes of his cautionary obligations for John Gregory, and approved of tacks granted by the burgh of Haddingtoun of the skirts of Gladsmuir and appointed the same to be recorded after this convention.

Rothsay.

9. A report as to the condition of Rothsay being informal, the convention allowed the visitors formerly appointed to bring in a report to next general convention.

Peebles.

10. The convention, upon report of the committe appointed to consider the petition from the burgh of Peebles, complaining of the decayed condition and poverty of the said burgh, and that the property of the lands belonging thereto was invaded and attackt by several powerful neighbours, and particularly the laird of Cringaltie, who was attempting to take their small property from them, the convention appointed the commissioners for the burghs of Air, Selkirk, Dumbarton and Annan, as a committe to meet with the laird of Cringaltie and others at whose instance there is proces depending, and endeavour to adjust their differences and bring them to ane amicable accomodation and report.

11. The convention, upon report of the committe appointed to consider the letters from the toun of Campvere, Sir Andrew Kennedy and Robert Pantoun, late staple factor, remitted the consideration of these letters to the committe anent the staple that shall be authorized to sit after dissolving of this present convention, to writ particular answers thereto and with power to them to do in the matters complained upon as they find just; and the convention appointed the said committe to take particular notice that it be remembered in the answer to the toun of Campveers letter that the convention are informed the Magistrats of Campvere do incourage Robert Pantoun to trade as ane staple factor, albeit he has demitted his office, and is allowed greater priviledges since his demission then when in the office, offering to serve the merchants of Aberdeen and receive their goods free of conservator or metsters dues, which is ane great prejudice to the factors and ane manifest infraction of the staple contract; and the convention recomended to the commissioners for Aberdeen and Dumbarton to prepare draughts of the answers to be laid before the committe for their approbation, and appointed the clerks to give to Gilbert Steuart, merchant, cautioner for the said Robert Pantoun, ane copy of the complaint against the said Robert, to be transmitted to him for his answer to be laid before the committe.

EDINBURGH.
9 July 1714.
Campvere,
Pantoun.

12, 13. Appointed the burghs deficient in payment of their missive dues to pay the same before next convention; and remitted to a committee to meet with the burghs of Perth, Aberdeen and Glasgow to endeavour to adjust differences with them as to dues.

14. Having heard petition of the burgh of Pittenueem, "craving liberty to dispose of a steeding of ruinous houses, with two half aikers of land adjacent thereto, lying in the Miltoun of Pittenueem, and to set their Whinnymuir in long tack," the convention appointed the commissioners of St Andrews, Crail and Anstruther Easter to see the same done.

15. Approved of the whole procedure of the committee appointed to sit after the dissolving of last convention, the commissioners for Perth, Aberdeen and Glasgow, taking exception to the letter written to William Hamilton.

Procedure of
committee
approven.

16. Appointed the agents accounts to lie on the table and remitted to a committee to consider the same and report.

Agents ac-
compts.

17. Granted warrant to the burgh of Dumfreis to prorogate the present tack of Gallpark and Milldamhead for six years after 6 September 1727.

Dumfries.

EDINBURGH.
9 July 1714.
Anstruther
Wester.

18. Granted warrant to the burgh of Anstruther Wester to set tacks of the Whinnymuir at sight of the commissioners of St Andrews, Pittenueem and Crail.

12 July 1714.

Buchan's
claim.

19. Remitted to a committee to consider report as to John Buchan's claim and bring in their opinion to the convention.

Tax roll.

20. Delayed, till next meeting of the convention, consideration of a letter by several members of parliament recommending that there may be a rule laid down by which the particular proportions of the royal burghs in the tax roll may be ascertained in time coming.

Agent's
accompts.

21. Remitted to the committee the agents accounts of unfree trade and two accounts of money disbursed by William Hamilton at London.

Tax roll.

22. Remitted to a committee letter from several members of parliament as to the manner of distributing the tax roll and overture by the commissioner for Glasgow for establishing a rule in the matter.

Culross.

23. The convention, upon a petition from the burgh of Culross, representing that by the total decay of trade, occasioned by the failzying of coal and salt there and in the adjacent places, and through the decay of that trade of girdlemaking which used to be a great support to the burgh, the burgh was reduced to a mean and low condition and rendered not only incapable to pay their ministers and schoolmasters stipends and annual rents of their publick debts but also to pay their proportion of the cess, missive dues and other burdens, craving the convention would be pleased to empower the said burgh to pursue the unfree traders within their own and the adjacent paroches of Tullyallan, Salein, Carnock and Torry, and to compone, transact and agree with them thereanent for bygones and in time coming, and to apply what shall be recovered from them to their relief; which being considered by the convention, they granted warrant to the magistrats of the said burgh of Culross, upon their own proper charges, to pursue the unfree traders within their own and the said adjacent paroches of Tullyallan, Salein, Carnock and Torry, with power to them to compone, transact and agree with them thereanent, for three years bygone and for the space of four years to come, and to apply what shall be recovered for relief of the said burgh, they being obliged to report their dilligence to the convention.

24. The committee gave in their report on the agents accounts from July 1713 to July 1714. EDINBURGH.
12 July 1714.

25. Ordained diligence to be raised by the agent against each burgh deficient in payment of their missive dues. Agents
accomp'ts.
Missive dues.

14 July 1714.

26. The convention, upon a petition from the burgh of Kirkwall, representing that these several years bygone they have been under the heavy burden of twelve shilling in the tax roll, and that at the last convention when the poverty of the burgh could not allow the charges of sending up a commissioner thereto, they were hightned tuo shillings in the tax more then formerly they did pay, which was become such a burden upon the inhabitants that they were not able to bear it, therefore craving the convention to appoint some effectual remedy for their present support untill the tax roll be altered and they eased of a part of their present burden, and to assigne them against the unfree traders of Orkney and Zetland; which being considered by the convention, they granted warrant to the magistrats of the said burgh of Kirkwall, upon their own proper charges, to pursue the unfree traders in Orkney and Zetland for their unfree trading, with power to them to compons, transact and agree with them thereanent, for three years bygone and for four years to come, and to apply what shall be recovered for relief of the said burgh, they being obliged to report their diligence to the convention.

27. The convention, upon a petition from the burgh of Newgallaway, way representing that it had no commone good sufficient to defray the necessary charges of the burgh, such as their publick works, &c., were obliged to borrow money for payment of the missive dues and fiting their eques, and their being some few unfree traders in their adjacency, which the agent could not overtake but with difficulty and expences to the burrowes, therefore craving the convention to make over to the toun of Newgallaway the unfree trade in the adjacency, viz., in the paroches of Mungaff, Kells, Carsfern, Dalry, Balmaclelland, Parton and Balmagie; which being considered by the convention they granted warrand [to the burgh to pursue and compound in same terms as Kirkwall was authorised by the preceding act.]

15 July 1714.

EDINBURGH.
15 July 1714.
Unfree trade.
Ayr.

28. Remitted the agents accounts anent unfree trade to the committee appointed to sit after dissolving this convention.

29. The convention, anent the petition from the burgh of Ayr representing that it had little commune good to defray the necessary charges thereof, such as publick works, &c., and there being severall unfree traders in the adjacency which the agent could not overtake but with difficulty and expence to the burrows, craving the convention to make over to the said burgh of Ayr the unfree traders in the adjacency, viz., in Mayboll, Straitoun, Girvan, Ballantrae, Machlin, Dalmellingtoun and Camnlock; which being considered by the convention they granted warrant to the magistrats of the said burgh of Ayr [to pursue and compound in same terms as Kirkwall was authorised by the 26th act.]

Charles
Sherriffs
petition.

30. Anent petition from Charles Sherriff, merchant in Prestonpans, the convention recommended certain commissioners "to wait on the Queens advocat and commune with him anent that affair."

16th July 1714.

Coupar.

31. Ordained an overture from the burgh of Coupar anent the unfree trade to lie on the table to be perused by members of convention.

Missive dues.

32. Delayed, till next meeting, to determine regarding report from the committee appointed to accommodate the differences with Perth, Aberdeen and Glasgow, as to missive dues.

Tax roll.

33. Remitted to a committee "to forme the act for adjusting the rule for ascertaining the tax roll of the royal burrows."

Perth, Aber-
deen and
Glasgow.

34. The convention having heard a report from the committee appointed to adjust differences betuixt the burghs of Perth, Aberdeen and Glasgow, anent their bygone missive dues, they, in order to restore the peace of the burrows, and in regard the said burghs will acquiesce to all the other articles of the agents accompts for bygones as well as the currant year, and will pass from their objections against the same, except what was expended upon the account of the differences betuixt them in the manner of settling the tax toll, the convention did therefore exeem

the said burghs from payment of their proportional part of the said expence, which by former accompts and these for the currant year amounts to the sum of ane hundred pounds sterling, which the convention appointed their agent to cast upon the next years missive.

EDINBURGH.
16 July 1714.
Perth, Aberdeen and Glasgow.

35. The convention, anent a petition from the burgh of Tain Tain, representing their want of trade and great losses they have sustained by fire, and great debt are owing, which obliged them to set their milns in tack for a considerable number of years for payment of their debt, so that they were unable to defray the expence of their schoolmasters sellary, other servants fies, and missive dues, craving therefor the convention to commiserat their low circumstances and give them the benefite of the unfree traders within the paroches of Kincardine, Westray, Tayne, Tarbet, Ferne, Nigg, Logie, Killimuir, Roskeen, Alnes and Kiltearn, which the agent had not in his list and could not otherwise be prosecute without greater charges and expences to the burrows then the subjects are worth ; which being considered by the convention they granted warrant to the magistrats of the said burgh [to pursue and compound on same terms as Kirkwall was authorised by the 26th act.]

36. The convention, anent the petition from the burgh of Inverurie Inverurie, representing that the said burgh these severall years bygone has been under the heavy burden of one shilling in the tax roll, and at the last convention, when the poverty of the burgh could not allow the charges of sending up a commissioner, they were heightned a half penny more in the tax roll then formerly, which was become such a burden upon the inhabitants that they were not able to bear it, craving therefor the convention to make over to their said burgh the unfree traders in the paroches of Inch, Chaple of Garrioch, and Daviot, which the agent could not overtake but with difficulty and great expences to the burrows ; which being considered by the convention they granted warrant to the magistrats of the said burgh of Inverurie [to pursue and compound on the same terms as Kirkwall was authorised by the 26th act.]

37. The convention having heard a petition from Mr John Low, Mr John Low, minister of the Scots congregation at Newcastle upon Tayn, representing Newcastle-upon-Tayn. the great charges and expences he has been at in purchasing a piece of ground for building a meeting house and making a burial place for bury-

EDINBURGH.
16 July 1714.

Mr John Low,
Newcastle-
upon-Tain.

ing poor labouring Scots people that work at the keills, who are not able to be at the expence to purchase the priviledge of burying in the church-yards, craving therefore the convention would bestow some of their charity to help to relieve him of the great debt he has contracted thereby; which being considered by the convention they appointed their agent to pay to the petitioner the sum of ten pounds sterling towards the defraying of his charges and expences in the said affair.

Inverkeithing,
&c.

38. Remitted to a committee to consider and report on petitions from the burghs of Inverkeithing, Queensferry, Dunbar and Disart.

Coupar.

39. The convention, anent the petition from the burgh of Coupar representing that the said burgh was in such bad circumstances that they were not able to pay their heavy taxes of cess, missive dues and other publick burdens, and in hazard of sinking unless the convention provided some relief, craving therefore the convention would grant warrand to the magistrats of the said burgh to pursue such of the unfree traders within their district as the agent had not comprehended in his list for by-gones, and so many years to come as the convention should think fit, and to apply what should be recovered from them for their relief; which being considered by the convention, they granted warrand to the magistrats of the said burgh [to pursue and compound on the same terms as Kirkwall was authorised by the 26th act.]

17 July 1714.

Sanquhar.

40. The convention, upon a petition from the burgh of Sanquhar, representing the poverty of their burgh, and their particular case and condition, had for a long time continued a head of the missive, granted warrand to the magistrats and council of the said burgh [to pursue the unfree traders within the presbytery of Penpont and to compound with them on same terms as Kirkwall was authorised by the 26th act.]

Daisart, Inver-
keithing,
Queensferry,
Dunbar.

41. On report of committee appointed by the 38th act, the convention remitted the farther consideration of the petitions from Daisart, Inverkeithing and Queensferry, to the committee appointed to sit after the dissolving of this convention, and to consider particularly as to the condition of their harbours, and report; and directed the condition of Dunbar to be a head of next annual missive.

42. Appointed the agent to pay William Hamilton, agent at London, EDINBURGH,
17 July 1714.
£48, 6s. 5d., sterling, disbursed by him.

43. The convention having taken to their consideration ane missive Hamilton,
£48, 6s. 5d.
New rule for
settling the tax
roll.
letter direct to the lord provost of Edinburgh from severall of the honour-
able members of parliament, mentioning that they had prevailed with the
commissioner for the burgh of Glasgow not to insist in the clause relating
to the royal burrows, as the samen was annexed to the act of supply past in
the year j^m vij^c and eleven, and recommending it earnestly to this convention
to use all possible endeavours for removing the differences amongst them
relating to that affair, as the samen letter in itself more fully propors;
and in like manner, the convention, considering the overtures made by
the said commissioner for Glasgow, to which the commissioners for the
burghs of Perth and Aberdeen adhered, whereby a new rule might be
established for settling the tax roll of the royal burrows in time coming,
and for that effect having condescended in their memorials out of what
subjects the said tax roll should be levyed, as the said memorials in them-
selves also bears,—the general convention out of a due regard to the opin-
ion of these honourable members who were pleased to interpose in this
matter, and likewise being most desireous to cultivat a lasting friendship
and good understanding with the dissenting burghs, and for removing all
differences, the convention enact and ordain that three fourth parts of the
hundred pounds payable by the royal burrows shall be laid upon the land
rents of each burrow and the other fourth part shall be laid upon trade,
that is to say import and export; and, in order to have the true valuation
of the rent of each burgh, the convention does ordain the magistrats of
each burgh to appoint two or more persons of their toun council who shall
take up ane exact account in writing of the real yearly rent of all the
lands, burrow-roods, tenements, houses and fishings, lying in, belonging
to, or that have been in use to pay cess with the burgh and do not pay cess
with the shire, which account shall contain the names of the heretors and
possessors of the lands and houses in the order as they are situat, together
with the name of the street or place in which the said houses and lands
do lye; which account the persons appointed to take it up shall signe
and deliver to the magistrats, making oath at the same time before them
that the said account does contain all the lands, burrow-roods, tenements,

EDINBURGH.
17 July 1714.

New rule for
settling the
tax roll.

houses and fishings, lying in, belonging to, or that hath been in use to pay cess with the burrow and not pay cess with the shire and the true valuation or yearly rent of them to the best of their knowledge; and the magistrats of each burgh are hereby appointed to send by their commissioner to the next convention, which is to meet at Edinburgh upon the second Tuesday of November next, the valuation of their burgh taken in the manner prescribed by this act; which valuation shall be the rule according to which three fourth parts of the hundred pounds shall be laid; and the convention does further ordain that where houses or lands are possessed by the proprietor the valutors shall value the rents of such houses or lands to the best of their knowledge, and where houses are waste, they shall only be marked to be waste and not extended in the estimat, and where the rent is payed in grain or victual the same shall be liquidat according to the sherrif fiars, or commissar fiars where there are no sherrif fiars, immediately preceeding the time of the valuation, and where there are different sherrif or commissar fiars the valuation shall be according to the midle fiars; and if any burrows shall neglect to send up to the next convention, which is to meet at Edinburgh the second Tuesday of November as said is, ane estimat or valuation of their land rent taken in the manner above prescribed, or shall not return a true valuation, the convention shall tax such burghs in the double of what they now pay; and, for the better distributing the fourth part upon trade, the next convention shall chose fifteen out of the trading burrows of their number, who, upon their oaths, shall proportion the same in the most equal manner; and the convention does further ordain this present act to be a head of the missive.

Act to be
printed.

44. The convention appointed their agent forthwith to cause print the above act and deliver copies thereof to such of the members as are now in toun and to transmitt copies to the whole royal burrows.

Valuations.

45. The convention ordained their clerks to deliver up to the particular royal burrows, upon their receipt, the whole valuations of their respective burghs given in to the convention in July ^{j^m} vij^e and tuelve.

Committee.

46. Appointed a committee to sit after the dissolving of this convention to consider everything relating to trade, the staple port and unfree traders, and what else shall be remitted to them.

Money for
promoting
bills, etc.

47. Granted warrant to the lord provost of Edinburgh to call for what

money, not exceeding £100 sterling, may be necessary for promoting and carrying on of bills that may be presented to the parliament for the encouragement of the trade of the nation or other concerns of the royal burghs. EDINBURGH
17 July 1714.

48. Having taken into consideration the claim and process at John Buchan's instance against the burghs, with several memorials and representations, the convention submitted the same "to the arbitrement and determination of Sir Walter Pringle and Mr Alexander M'Leod, advocates," and appointed the several burghs to transmit all the defences and objections they have against the claim. The commissioner for Glasgow dissented and protested against granting any sum to Buchan or making any submission thereanent. John Buchan's
claim.

49. Ordained certain salaries and gratuities to be paid.

Salaries.

50. Dissolved the present convention and appointed next general convention to be held at Edinburgh in July next.

Convention
dissolved.

MEETINGS OF COMMITTEE *held at* EDINBURGH.

22 July 1714.

Edinburgh, William Hutchesone; Aberdeen, John Alerdes; Cupar, Mr Thomas Hope; Dumbartone, Sir James Smollet; Culross, William Cochran. EDINBURGH.
22 July 1714.

1. George Warrender of Lochend, lord provost of Edinburgh, elected preses. Sederunt.
Preses.

2. The committee having considered the petition of the burgh of Disart "are of opinion the convention should allow the said burgh the sum of three hundred merks Scots towards the reparation of the peer and harbour of the said burgh."

3. Approved of the draughts of letters to the magistrates of Campvere and Sir Andrew Kennedy. Campvere,
Kennedy.

4. Having heard a complaint at the instance of Walter Younger, metster at Campvere, against Robert Pantoun, late staple factor there, for detaining his dues, the committee appointed a copy of the complaint to be served on Pantoun's cautioner, and he to attend next meeting. Pantoun,
factor, com-
plaint.

GENERAL CONVENTION *held at* EDINBURGH.

Edinburgh, Robert Craig and John Dunbar; Perth, Robert Robertson; Dundee, Alexander Ballingall; Aberdeen, Robert Steuart; Stirling, James Christie; Linlithgow, Alexander Glen; St Andrews, Alexander Watson; Glasgow, John Aird; Air, Robert Moor; Hadingtoun, David Forrest; Disart, David Thomson; Kirkaldie, James Oswald; Montrose, David Skinner; Couper, Mr Thomas Hope; EDINBURGH.
9 November
1714.

Sederunt.

EDINBURGH.
9 November
1714.
Sederunt.

Anstruther Easter, Mr James Graham ; Dumfries, Robert Corbet ; Inverness, John Steuart ; Burntisland, George Thomson ; Inverkeithing, John Cant ; Kinghorn, Robert Bruce ; Brechin, John Doig ; Irving, William M'Taggart ; Jedburgh, John Simpson ; Kirkudbright, John Kirkpatrick ; Wigtoun, Simon Gulline ; Pitten-ueem, Mr Robert Clelland ; Dunfermling, Mr David Walker ; Anstruther Wester, John Cunningham ; Selkirk, Andrew Wauch ; Dumbarton, Sir James Smollet ; Renfrew, Mr John Cochran ; Dunbar, William Fall ; Lanerk, William Inglis ; Aberbrothock, John Hutcheson ; Elgin, Mr Archbald Dunbar ; Peebles, Robert Forrester ; Crail, Henry Craufurd ; Tain, John M'Culloch ; Culross, Mr John Erskin ; Banf, Sir Alexr. Ogilvie ; Whithern, John M'Govan ; Forfar, Mr John Ogilvie ; Forres, Ludovick Brodie ; Ruthglen, John Scott ; North Berwick, James Miller ; Cullen, Mr John Philp ; Lauder, John Moffat ; Kilrenny, James Peacock ; Annan, Mr George Blair ; Lochmaben, Sir William Johnston ; Sanquhar, Abraham Crichton ; Newgalloway, John Hog ; Dinguall, Donald Dinguall ; Queensferry, George Hill ; Fortrose, Daniell Simpson ; Kintoir, Robert Bruce ; Inverurie, John Fergusson ; Inverarie, Robert Campbell ; Wick, George Manson ; Kirkwall, Mr James Traill ; Inverbervie, James Corbat ; Stranraer, Mr James Dalrymple ; Campbeltoun, Mr Neil Campbell ; [three burghs *blank*].

9 November 1714.

Preses.

1. George Warrender of Lochend, lord provost of Edinburgh, elected preses.

Revising
commissions.

2. Remitted to a committee to consider the whole commissions and what else shall be remitted to them, and to report their opinion to next convention.

10 November 1714.

Commissions
approven.

3. Approved of the commissions of certain burghs, including "the commission from the burgh of Lauder as to the commissioner only, but not as to the assessor, in regard it does not bear that he is worth three thousand merks of burgage lands although he does not reside in the burgh."

Commissions
approven and
refused.

4. Approved of commissions from certain burghs, but refused to sustain that of Forfar because it does not bear the commissioner to be worth 3000 merks, holding burgage, the commission of Inverness because it does not bear the commissioner to be worth 3000 merks, burgage, but only 3000 merks of stock, and the commission of Wick because it neither bears the commissioner to be residerent nor worth 3000 merks, burgage.

Committe to
prepare ad-
dress to his
Majestie.

5. The convention appointed the commissioners for the burghs of Edinburgh, Perth, Aberdeen, Glasgow, Dumbarton, Culross and Lochmaben, as a committe to prepare the draught of ane address from the

convention to the King's most excellent Majestie, to be laid before the convention against their next meeting for their approbation, and appointed the first meeting of the committee to be tomorrow at nine aclock.

EDINBURGH.
10 November
1714.

Committe to
prepare ad-
dress to his
Majestie.

11 November 1714.

6. Approved of commissions from the burghs of Hadingtoun, Aberbrothock, Fortrose and St Andrews. Commissions approved.

7. Approved of commissions formerly objected to, including that of Lauder as to an assessor, "and that in order to the having a full representation in this convention, dispensing hereby with the said objections at this juncture." Commissions approved.

8. George Yeaman, late provost of Dundee, being named as a second assessor to the said burgh in their commission to this present convention, desired he might be qualified accordingly, to which it was answered by the commissioner for Newgalloway that the commissioner for the said burgh and assessor first named in the said commission having been formerly qualified, and the said qualified assessor being present, it was not necessar to receive any other, especially seeing it was not the practise of the burrows to admitt any more assessors then one, except for the burgh of Edinburgh who have tuo commissioners; and the vote being stated: Receive a second assessor when the commissioner and first assessor are already qualified, yea or not—it caryed in the negative. But, before the convention proceeeded to the said vote, the said George Yeaman protested against the same and desired liberty to give in his reasons of protestation in writing and thereupon tooke instruments in the clerks hands; and the commissioner for Edinburgh desired he might have liberty to answer the said protestation, which the convention allowed accordingly.

Dundiessecond
assessor
rejected.

9. The convention *nemine contradicente* approved of ane address to be presented to his Majestie, the tennor whereof followes:—To the Kings most Excellent Majestie, the humble address of the Royal Burrows of Scotland. Wee, your Majesties most faithfull subjects, have impatiently waited this opportunity of being brought together in a full convention that we might joyntly and with one heart congratulat your Majesties happy and peaceable accession to the thron of Great Britain and

Address to his
Majestie
approven.

EDINBURGH.
11 November
1714.

Address to his
Majestie
approven.

seasonable arrivall therein. When we reflect upon the royal bounty and favour of the great and glorious King William and Queen Anne, of ever blessed memorie, to the state of burrows, and the particular marks of their affection which they bestowed upon us, whereby their Majesties did fully evidence their confidence in our faithfulness to their intrests, and that the croun is now so happily settled upon your sacred Majestie by ane unquestionable rightfull and lawful succession to your royal progenitors, we must adore and bless the Divine goodness which has so conspicuously shined in all this great and remarkable conjuncture of providence. We have now the glorious prospect that, by your Majesties administration, our religion, laws and liberties, and our presbyterian church government as by law established, shall be inviolably maintained, our trade encouraged and freed from the emberrassments it lyes under by destructive treatys of commerce, and that all the other blessings which conduce to the happiness of mankind shall flow upon us and our fellow subjects, so that we think ourselves bound by the strictest ties of duty to abide firme and loyal to your Majestie and, as we have access in our stations, to instill the same principles of loyalty and obedience in the several incorporations which we represent. It remains for us to offer up to the Almighty God our hearty praises for the great deliverances he has wrought for us from these fears and apprehensions of danger we were under, as we likeways, with the utmost sincerity, pray that it may please the Divine goodness to pour doun his best blessings upon your Majestie and your royal progenie, and that after a long and happy reign over us, the croun of this realme may descend to your royal posterity in ane long and uninteruped succession and may continue to be the great guardians of the protestant religion throughout all Europe. May it please your Majestie, [etc.]. Signed by order and in presence of the convention by George Warrender of Lochend, lord provost of Edinburgh, our preses. And the convention appointed the lord provost of Edinburgh, their preses, to signe the said address in their name and transmitt the same to his grace the Duke of Montrose, principal secretary of state, to be presented by him to his Majestie; as also, a letter to be written by their said preses in their name to his grace, the tennor whereof followes :—My lord, The royal burrows being called together to this place and having accordingly convened

Letter to the
Duke of
Montrose.

in a full meeting of our representatives, thought it our indispensable duty, befor we should proceed to any other business, to congratulat his Majestie upon his happy accession to the thron, in pursuance whereof we have framed ane address to be presented to his Majestie, which, with ane exact copy thereof to your grace, we have herewith transmitted, and do humbly desire that your grace may be pleased with your first conveniency to present the same to his Majestie, which we shall esteem as ane singular mark of your graces favours to us, and shall upon all occasions be ready to approve ourselves, [etc.].

EDINBURGH.
11 November
1714.
Letter to the
Duke of
Montrose.

10. Remitted to a committee to consider representation by the magistrates and town council of Kirkaldie and to call such persons before them as are in town and concerned in the matter therein represented, and to endeavour to accommodate differences between them.

Kirkaldie.

11. The convention, having heard a petition signed by the dean of gild and remanent gild brethren of the burgh of Culross, shewing that they (being as they conceaved) by their constitution obliged to exact fifty merks from each stranger who enters a gild brother with them and their incouragement thereto so very small by their great decay of trade that they are in danger to go to ruine altogether unless some remeed be provided, craving therefore the convention would allow them to enter any stranger into their gildrie for the space of seven years, or such a number of years as the convention should think fit, upon payment of twenty merks, as the only mean to preserve them; which being considered by the convention they, for the reasons therein represented, granted warrand to the magistrats and council of the said burgh to admitt and receive such persons as they shall think fit to be gild brethren of their said burgh for payment of twenty merks Scots, and that for such a number of years as they shall think proper.

Culross, gild
brethren.

12 November 1714.

12. The lord provost of Edinburgh, preses, produced in the convention a letter to his lordship from Sir Andrew Kennedy, conservator, to be communicat to the royal burrows, with the double of ane address to her late Majestie for renewing the said Sir Andrew and his sons commis-

Committe to
consider Sir
Andrew
Kennedy's
letter, etc.

EDINBURGH.
12 November
1714.

Committee to
consider
Sir Andrew
Kennedy's
letter, etc.
Forres.

sion, with a petition of the said Sir Andrew Kennedy and John Vere-Kennedy, his son, to the right honourable the lords spiritual and temporal in parliament assembled, which being read in presence of the convention they remitted the consideration thereof to the committee for the staple port which was appointed by the last annual convention.

13. The convention having heard a commission from the burgh of Forres they dispensed with the informality of the said commission at present.

Valuations
given in.

14. The convention having heard the general missive read in their presence, with the fourty third act of the last annual convention relative thereto, the whole royal burrows who were represented in this present convention gave in their valuations of their respective burghs, except the burghs of Linlithgow, Dunbar, Aberbrothock, Annan, Sanquhar and Fortrose, and the convention resolves that they will take to their consideration the saids valuations in plain convention whether or not the same be conforme to the act of the royal burrows in July last.

15 November 1714.

Elgin, Inver-
arie, valua-
tions.

15. A commission from the burgh of Elgin to an assessor and of Inverarie to a commissioner read and approved, the latter giving in the valuation of his burgh. "Thereafter the convention purused the valuations of the burrows given in and enquired into the reasons why severalls fell short of the valuations given up last year, which the convention desired to be marked in a paper apart by way of memorandum to them."

16 November 1714.

Campbeltoun.
Dunbar.
Revising
valuations.

16. Approved of commission from the burgh of Campbeltoun.

17. The commissioner for Dunbar gave in the valuation of his burgh.

18. Appointed a committee to revise the whole valuations produced and to make report to the convention how far they are agreeable to the plan given thereanent.

18 November 1714.

Kirkaldie.

19. The committee appointed by the 10th. act reported that having met and heard both parties, they found themselves not sufficiently empowered to determine in the matter without a submission and therefore could proceed no farther.

20. The convention considering that the fourth part of the hundred pounds of the tax roll of the royall burrows is to be laid upon trade, did therefore appoint the said fourth part to be laid upon the burghs following viz: Edinburgh, Perth, Dundie, Aberdeen, Stirling, Linlithgow, St Andrews, Glasgow, Ayr, Hadingtoun, Disart, Kirkaldie, Montrose, Anstruther-Easter, Dumfreis, Inverness, Burntisland, Innerkeithing, Kinghorn, Irving, Wigtoun, Pittenueem, Dunfermling, Anstruther-Wester, Dunbar, Aberbrothock, Elgin, Crail, Tain, Culross, Banf, Nairn, Forres, North-Berwick, Wick, Cullen, Kilrenny, Queensferry, Fortrose, Kirkwall, Stranraer and Campbeltoun.

EDINBURGH.
18 November
1714.

Fourth part of
tax roll laid on
trade.

19 November 1714.

21. The convention having heard a memorial anent trade, drawn up in January last by the committe appointed by the generall convention for that effect, read in their presence, they remitted the consideration thereof to the committe for trade appointed by the last general convention ; and the convention recomended to the said committe to rectifie the sixth article of the said memorial anent the duty upon herrings, as also to leave out the tenth article of the said memorial anent the fifty sols per tun, and make such additions and alterations therein as they shall think proper, and transmitt the same to the right honourable the Earle of Stairs and such other persons as the committe shall think fit.

Memorall
anent trade.

22. The convention having heard a memorial shewing that it concerns the royal burrows that some method may be taken to put the laws in execution against selling of salt otherways then by weight, which being considered by the convention they recomended to the several royal burrows to put the laws in execution within their respective burghs against selling of salt otherwise then by weight, and report their dilligence therein to the next generall convention, and this to be head of the next missive ; and appointed the act to be printed and copies thereof to be transmitted to the several burrows.

Salt to be sold
by weight.

23. After a great dale of communing in convention anent the method of puting the act of the last generall convention in execution, appointing the valuations of the whole royal burrows to be brought up to

Protestations,
valuations.

EDINBURGH.
19 November
1714.

Protestations,
valuations.

this present convention in order to the proportioning three fourth parts of the hundred pounds of the tax roll of the royal burrows upon the said valuations, the other fourth part being to be laid upon trade by the said act, and several overtures thereanent being given in to the convention but none of the said overtures having obtained, the commissioner for Dumbarton protested for himself, and in name of such as would adhere to him, that, in prosecution of the said act and conforme thereunto, that such of the royal burrows as are found not to have brought up their valuations in the terms of the act shall be lyable to the certification thereof and the samen accordingly applied against them before the convention proceed to the taxing of such of their number as have brought up their valuations regularly in the terms of the act, to which protestation the commissioners for Edinburgh [and forty seven other burghs] adhered.

Healing over-
ture.

24. A motion being made in convention that a committe might be appointed to bring in some healing overture that may give satisfaction to the royal burrows and remove such differences and inconveniencies as are like to arise in the present method laid down for proportioning the tax roll, which being considered by the convention, and they being willing to come to ane amicable agreement and to cultivat a good understanding amongst themselves, did therefor appoint the burghs of Edinburgh, Perth, Stirling, St Andrews, Linlithgow, Glasgow, Ayr, Selkirk, Dumbarton, Dunbar, Lochmaben and Newgalloway, as a committe to prepare and bring in the said overture to the convention ; and appointed the first meeting of the said committe to be at four a clock this afternoon.

22 November 1714.

Scheme of a
tax roll offered
by the com-
mitte.

25. The committe appointed to prepare ane healing overture to remove the differences amongst the burrows as to the adjusting the tax roll, having reasoned a long time thereon and asked the opinion of severall other burrows who were present with the committe, viz., the burghs of Haddington, Disart, Montrose, Dumfries, Inverness, Kinghorn, Brechin, Kirkudbright, Wigton, Pittenueem, Anstruther-Wester, Lanerk, Peebles, Cullen, Lauder, Queensferry, Kintoir and Inverbervie, whether

the new method proposed for proportioning the tax roll or the old one was most practicable, the forsaid hail burrows and the committee unanimously gave it as their opinion that experience had taught them that, after many struglings to advance the new rule proposed, the same was attended with so many difficulties and bad consequences that it could never be imbraced, and therefore it was necessary to recur to the old method and accordingly make up the tax roll in the most equall manner to the satisfaction of all concerned, and that the valuations now brought in should be delivered up to the several members that no vestige may be found thereof upon record in any time hereafter; and the good toun of Edinburgh, from ane anxious concern to remove these differences, which were like to prove so fatall to the state of burrows, having most generously offered to take upon them a considerable new burden, more then they are able to bear, with hopes that the convention will take their case to consideration upon the first opportunity, therefore the committee do offer to the convention the following scheme of a tax roll, to be the rule of collecting the cess payable by the burrows for the space of three years, commencing from July next, to be appoven by the convention, viz:

EDINBURGH.
22 November
1714.
Scheme of a
tax roll offered
by the com-
mittee.

In the following table the two rolls contained in the record are combined. The first column gives the proportion of each burgh effeiring to a total of £98, and the second column "the particular proportions of money for each months cess effeirand to their share of the two pounds Scots in the tax roll wanting to make up the hundred pounds."

Edinburgh .	£40	0	0	£0	0	0	Burntisland .	£0	6	0	£2	5	0
Perth .	2	18	0	0	0	0	Innerkeithing .	0	5	0	1	17	6
Dundie .	4	0	0	30	0	0	Kinghorn .	0	7	0	2	12	6
Aberdeen .	6	0	0	0	0	0	Brechin .	0	9	0	3	7	6
Stirling .	1	5	0	9	7	6	Irving .	0	12	0	4	10	0
Linlithgow .	1	3	0	8	12	6	Jedburgh .	0	19	0	7	2	6
St Andrews .	0	7	0	2	12	6	Kirkcudbright .	0	6	0	2	5	0
Glasgow .	16	14	0	0	0	0	Wigtoun .	0	6	0	2	5	0
Ayre .	0	18	0	6	15	0	Pitteneum .	0	4	0	1	10	0
Haddingtoun .	1	6	0	9	15	0	Dumfermling .	0	15	0	5	12	6
Disart .	0	3	0	1	2	6	Anstruther Wester	0	1	0	0	7	6
Kirkaldie .	1	6	0	9	15	0	Selkirk .	0	10	0	3	15	0
Montrose .	1	13	8	12	12	6	Dumbarton .	0	6	0	2	5	0
Coupar .	0	12	0	4	10	0	Renfrew .	0	6	0	2	5	0
Anstruther Easter	0	4	0	1	10	0	Dunbar .	0	8	0	3	0	0
Dumfreis .	1	18	4	14	7	6	Lanerk .	0	12	0	4	10	0
Inverness .	1	10	0	11	5	0	Aberbrothock .	0	10	0	3	15	0

EDINBURGH. 22 November 1714.	Elgin . . .	£1 5 0	£9 7 6	Queensferry . .	£0 8 0	£3 0 0
	Peebles . . .	0 9 0	3 7 6	Dornock . . .	0 3 0	1 2 6
Scheme of a tax roll offered by the com- mittee.	Craik . . .	0 6 0	2 5 0	Fortrose . . .	0 4 0	1 10 0
	Tain . . .	0 4 0	1 10 0	Kintoir . . .	0 1 0	0 7 6
	Culross . . .	0 3 0	1 2 6	Inverurie . . .	0 1 6	0 11 3
	Banf . . .	0 4 0	1 10 0	Inverarie . . .	0 2 0	0 15 0
	Whithorn . .	0 1 0	0 7 6	Wick . . .	0 5 0	1 1 6
	Forfar . . .	0 6 0	2 5 0	Kirkwall . . .	0 14 0	5 5 0
	Rothsay . . .	0 4 0	1 10 0	Inverbervie . .	0 1 6	0 11 3
	Nairn . . .	0 3 0	1 2 6	Stranraer . . .	0 4 0	1 10 0
	Forres . . .	0 5 0	1 17 6	Campbeltoun . .	0 3 0	1 2 6
	Ruthglen . .	0 5 0	1 17 6	Agent for unfree traders . . .	2 0 0	15 0 0
	Northberwick	0 1 0	0 7 6			
	Cullen . . .	0 1 0	0 7 6	Summa . . .	£98 0 0	£243 0 0
	Lauder . . .	0 5 0	1 17 6	Divided amongst the several burghs as in second column	2 0 0	
	Kilrenny . .	0 2 0	0 15 0			
	Annan . . .	0 2 0	0 15 0			
	Lochmaben . .	0 1 0	0 7 6			
	Sanquhar . .	0 1 0	0 7 6			
	Newgalloway .	0 1 0	0 7 6			
	Dingwall . .	0 4 0	1 10 0		£100 0 0	

Which being considered by the convention they approved of the committees report above mentioned, and of the forsaid schemes of a tax roll, and ordained and hereby ordain the same to be the only rule for collecting the cess payable by the royal burrows for the space of three years commencing from July j^m vij^c and fifteen years; but the commissioner for the burgh of Dundie protested against the said report and vote of convention approving the samen.

Petition of
skinnners and
tanners.

26. The convention remitted the consideration of the petition given in by the skinnners and tanners to the committee appointed by the last general convention anent trade.

MEETING OF COMMITTEE *held at* EDINBURGH.

23 November 1714.

EDINBURGH.
23 November
1714.
Sederunt.
Preses.

Edinburgh, Robert Craig; Aberdeen, Robert Steuart; Linlithgow, Alexander Glen; Glasgow, John Aird; Ayre, Robert Moore; Couper, Mr Thomas Hope; Pittenueem, Mr Robert Clelland; Dumbarton, Sir James Smollet; Dunbar, William Fall; Craill, Henry Crawford; Culross, Mr John Erskin.

1. Robert Craig, dean of guild of Edinburgh, elected preses.

2. The committe appointed Mr George Smollet, their agent, to acquaint all the burghs of barrony and regality and others who have accepted of the communication of trade to attend the annual convention in July next.

EDINBURGH.
23 November
1714.

Burghs of
barony and
regality.

3. The committe recomended to the commissioner for Aberdeen to bring in the draught of a letter to the magistrats of Campvere in favours of Sir Andrew Kennedy, recommending him to their favour as the only person to negotiat the burrows affaires and as conservator, which being presented accordingly to the committe was read and approven and appointed to be recorded in the book of letters.

Campvere,
conservator.

GENERAL CONVENTION *held at* EDINBURGH.

Edinburgh, Robert Craig and David Mitchell ; Perth, Robert Robertson ; Dundie, John Oliphant ; Aberdeen, Robert Steuart ; Stirling, James Christie ; Linlithgow, Alexander Glen ; St Andrews, Alexander Watson ; Glasgow, John Aird ; Ayr, Robert Moor ; Hadingtoun, David Forrest ; Disart, David Thomson ; Kirkaldie, James Oswald ; Montrose, David Skinner ; Coupar, Mr Thomas Hope ; Anstruther-Easter, James Graham ; Dumfreis, Robert Corbet ; Inverness, Thomas Robertson ; Burntisland, Alexander Burnet ; Inverkeithing, John Cant ; Kinghorn, John Aitkin ; Brechin, Mr Andrew Doig ; Jedburgh, John Simpson ; Pittenueem, Mr Robert Clelland ; Dunfermling, Mr David Walker ; Dumbarton, Sir James Smollet ; Renfrew, Mr John Cochran ; Dunbar, William Fall ; Lanerk, William Inglis ; Aberbrothock, John Hutcheon ; Elgin, Mr Archbald Dunbar ; Peebles, Robert Forrester ; Crail, Henry Crawford ; Tain, John M'Culloch ; Culross, John Halkerston ; Banf, Sir Alexander Ogilvie ; Whithern, John M'Govan ; Rothsay, Archbald Steuart ; Nairn, Hugh Ross ; Forres, Robert Urquhart ; Ruthglen, Andrew Leitch ; North-Berwick, James Miller ; Cullen, John Philp ; Lauder, John Moffat ; Annan, John Irving ; Lochmaben, Sir William Johnston ; Sanquhar, Abraham Crichton ; Newgalloway, John Hog ; Queensferry, George Hill ; Fortrose, Hugh Baillie ; Kirkwall, Mr James Traill ; Stranraer, Mr Robert Dalrymple ; Campbeltoun, Robert M'Colline ; [thirteen burghs *blank*].

EDINBURGH.
5 July 1715.
Sederunt.

5 July 1715.

1. John Duncan, one of the bailies of Edinburgh, elected preses.
2. Appointed a committee to revise the commissions.

Preses.
Revising
commissions.

6 July 1715.

EDINBURGH.
6 July 1715.Commissions
approved.
Protest against
commissioner
of Dundie.

3. On report of the committee, the convention approved of the commissions.

4. Commissions of certain burghs produced and approved of.

5. John Aird, present provost of Glasgow, commissioner for the said burgh, protested against John Oliphant, commissioner for the burgh of Dundie, his sitting or voting as a member of this present convention, in regard there is a proces against him before the lords of justiciary for cursing his Majestie, which the saids lords have found relevant and the assize found to be proven, and thereupon tooke instruments in the clerks hands, to which protestation the whole other members of the convention adhered; and the convention declared that they delayed the further consideration thereof till their next meeting, upon the said John Oliphants saying that he was content not to be reckoned a member untill such time as the same was discust.

Missive,
committe.
Petitions
remitted to
committee.

6. Remitted consideration of the general missive to a committee.

7. Remitted to the same committee consideration of petitions from the burghs of Stirling, Fortrose, Rothsay and Culross.

7 July 1715.

Commissioner
for Dundie
and his assessor
expelled.

8. Baillie Watson, assessor for the burgh of Dundie, compeared in convention and told that neither Baillie John Oliphant, commissioner for the said burgh, nor he, as his assessor, were resolved to sit in this convention, and craved liberty to withdraw their commission and protested that the burgh of Dundie might sustain no prejudice for want of a representative, whereupon the vote was stated: Expell the said commissioner and assessor of Dundie from this convention or not, in regard of the crimes proven against them before the lords of his Majesties justiciary—and it caryed unanimously—Expell both. Moreover, the convention ordained their preses in their name to reprimand the said Baillie Watson for the scurilous expressions used by him in face of convention, viz., that the witnesses were prejured villains that had witnessed against Baillie Oliphant and him; and the convention delayed till next meeting to give answer as to the demand of withdrawing the commission.

9. Read and approved of commissions from the burghs of Craill, EDINBURGH.
7 July 1715.
Anstruther Wester and Lanerk.

10. Ordained the following articles to be heads of next general missive, Commissions
approved.
Heads of
general
missive.
viz., (1) plan or formula of commissions and sending missive dues ; (2) stopping monopolies or gifts ; (3) setting up manufactories ; (4) misapplying mortifications ; (5) enjoining Nairn, Dornoch, Inverarie and Campbeltoun to give in their sets ; (6) selling and letting lands belonging to Pittenweem ; (7) Anstruther Wester setting lands ; (8) enjoining certain burghs to report their diligence in pursuing unfree traders ; and (9) against selling salt otherwise than by weight.

11. Delayed consideration of petitions from Rothsay, Disart, Inverkeith- Petitions
delayed.
ing, Queensferry and Dunbar till other petitions be considered.

12. The convention considering that there are several burghs in Act, missive
dues.
considerable arrears to the agent of missive dues, and that if some speedy course be not taken for in bringing the saids missive dues and such rules established as may prevent the same for the future, the burden thereof may fall upon other burghs who have been always punctual in their payments ; for remeed whereof, the convention ordains their agent betuixt and the first day of July next to proceed against those burghs deficient in payment of their missive dues, to the utmost dilligence law will allow, with certification to him if he failzie the convention will give him no relief thereof ; and furdur, the convention enacts and ordains that in all time coming, at the opening of the annual convention and before any member can have his commission received, the said member shall satisfie the convention that he has payed up the missive dues for all bygones preceeding that convention, otherways the convention declares his commission shall not be received ; and if any burgh in time coming shall fail to send up commissioners to the annual convention the convention appoints their agent to prosecute such burghs in manner and for the fines already imposed upon absents by former acts of convention ; and farder, enacts that no petition presented to the present convention by any member shall be read or considered untill the agent be satisfied and payed of the bygone missive dues resting by the burgh they represent ; and the convention appoints this act to be printed and sent by the agent to each burgh, to the end the same may be read in council and recorded in their council books and reported accordingly to the next annual convention.

EDINBURGH.
7 July 1715.

Agents
accmpts.
Overture,
linnen, Ire-
land.

Areastment,
Buchan.

Merchants
petition,
prizage.

Set of burgh
of Forres.

13. The convention appointed their agent to lay his accmpts before the convention against next meeting.

14. The convention remitted to the burghs of Perth, Aberdeen, Glasgow and Dumbarton to bring in to the grand committe ane overture in relation to the duty upon Scots linnen imported into Ireland, to the end the grand committe may consider the same and report to the convention.

15. Ane areastment was laid on in the hands of the preses of the convention, at the instance of Sir William Menzies of Gladstones, for one hundred pounds sterling resting by the burrows to Mr John Buchan.

16. The convention remitted the petition of the merchants of Scotland anent the prizage to the committe and ordained ane accmpt of the expences depurst in the said affair to be laid before the committe with the decree obtained in exchequer in that matter.

17. Anent the petition given in by the commissioner for the burgh of Forres, shewing that for many years bypast the government of the said burgh had been altogether precarious for want of ane established rule, commonly called a sett, whence it came to pass that magistrats were usually chosen not of the citizens but of strangers, the touns affaires were neglected and the burgers and inhabitants slighted, and albeit something like a sett had been transmitted by the burgh of Forres to the clerk of the royal burrows upon the tenty of September j^m vij^c and eleven years, and recorded in the burghs books with the setts of the other burrows, nevertheless the matter itself does evidently prove that this was no written sett but only a declaration by the magistrats and clerk as to what was the custome observed by them in their election of magistrats and council, or to speak plainly it is nothing but the naked custome of the place with respect to the elections signified in writt ; besides, that the said pretended sett was of no use being so short and comprehended in four or five lines so that it leaves the burgh altogether uncertain and only layes a foundation for civil discords and debates but can never ascertain the method of elections, so that the very stile thereof proves that it is spurious and that it can pretend to no greater antiquity then the said twenty day of September j^m vij^c and eleven years ; craving, therefor, that it would please the convention to appoint some neighbouring burghs to meet with all con-

venient speed at the burgh of Forres, and there to agree and conclude upon some certain rules for directing us in the choise of our magistrats and toun council in all time coming, as the said petition more fully bears. Which being considered by the convention, they appointed the commissioners for the burghs of Aberdeen, Inverness, Elgin, Nairn, Banff, and Cullen, or any three of them, to meet at Forres, the first Tuesday of September next, to consert certain rules for a sett to direct the elections of the said burgh in time coming, to be reported to the convention to be approven by them.

EDINBURGH.
7 July 1715.
Set of burgh
of Forres.

8 July 1715.

18. The convention, upon report of the committe to whom it was remitted, considering that there is a resolve of parliament that so much of ane act past in the third and fourth years of her late Majestie Queen Ann intituled Ane act to permit the exportation of Irish linnen cloth to the plantations and to prohibit the importation of Scots linnen into Ireland, as relates to the liberty of exporting Irish linnen to the West Indies be made perpetual ; therefore the convention recomended to their preses to writ in their name to the members of parliament for this part of the United Kingdom representing the royal burrows that they may use their endeavours that the duty of sixpence per piece of fourty yards, payed at exportation upon linnen cloth made in Great Britain, may be taken off, and linnen manufacture made free of duty at exportation as well as woolen ; and, seeing there is a duty of six pence per yard on all British linnen imported into Ireland, that the same should either be taken off or the like duty should be laid upon Irish linnen imported into Great Britain, and that some redress may be procured of the duty of three pence per yard imposed for the space of thirty two yeares upon all British linnen printed, painted or stained ; and the convention recomended to the commissioners of the severall royal burrows present to writ to the members of parliament of their particular destricts to favour the same.

Duty on linnen
cloth.

19. The convention having heard the petition from the magistrats and incorporation of the weavers of the burgh of Sterling, representing that ther is a declarator depending befor the lords of session against

Magistrats
and weavers
of Stirling.

EDINBURGH.
8 July 1715.
Magistrats
and weavers
of Stirling.

them at the instance of the weavers in the adjacent countrey concluding that all the leidges may be free to buy yarn and all other comodities upon the mercat day at any hour of the day and even before the hours appointed by the acts of the toun council, and that the toun weavers and other inhabitants, burgesses of the said burgh, should be discharged from buying or selling yarn upon that day except in open market, which being of universal concern to all the royal burrows, the same tending directly to overturn their priviledges, craving therefore the assistance and direction of the convention in the said affair; which being considered by the convention they appointed their agent to concur with the said burgh in the said proces, the same being caryed on upon their own proper charges and expences.

Merchants,
prize wines.

20. The convention having considered petition of the merchants in Scotland trading in wine, craving payment of the expenses of the process anent prize wines, which had been decided in their favor, amounting to £165, 3s. 4d. sterling, of which £50 had formerly been given by the convention, they appointed the agent to pay £50 sterling more of gratuity for defraying the expenses.

Girdlemakers
in Culross.

21. The convention having heard a petition from the incorporation of the girdlemakers in Culross, shewing that the girdlemakers in Valleyfield have, contrare to the gift and priviledges of the said incorporation ratified in parliament, presumed to make girdles and taken the greatest part of that trade out of their hands, whereby they are so impoverished that they are incapable to prosecut their just right before the competent judicature unless the convention should grant them some support and assistance in the proces formerly intended by them against the said girdlemakers in Valleyfield before the lords of session; which being considered by the convention, they appointed their agent to concur with them in the said proces, in order to bring the same to a conclusion, and to depurse a sum not exceeding five pounds sterling in prosecuting the same, and report to the next annual convention.

Commissions.

22. Read and approved of commissions from the burghs of Aberbrothock and Stranraer.

Salt and
fisheries.

23. Remitted to a committee, consideration of a memorial given in to them anent the salt and fishery of Scotland.

24. John Grant, as procurator for the inhabitants of Old Meldrum, EDINBURGH.
8 July 1715.—
Old Meldrum,
renunciation
of unfree
trade. gave into the convention ane renunciation of the communication of trade granted by the burrows to the said toun, and protested that in all time coming they might not be lyable to the burrows in any part of cess or missive dues imposed upon them upon account thereof, and thereupon tooke instruments in the clerks hands; to which it was answered by Mr George Smollet, agent for the royal burrows, that this being ane contract betuixt the laird of Meldrum and the royal burrows, the same cannot be dissolved but by consent of both parties contracters, and seeing that the royal burrows does not accept of this renunciation, the toun of Old-meldrum is noways liberat thereby; and, *secundo et seperatim*, altho' the renunciation could liberat them, as is denied, there appears no procuratorie or mandat from the laird of Meldrum, who accepted of the communication of trade, to renunce the priviledge, and therefore he protested that the toun of Old Meldrum might be still lyable to the royal burrows in the payment of cess and missive dues according to their present quota in the tax roll, or any other the burrows pleases to make when they have occasion to alter the tax roll, in the terms of the act of Parliament anno j^m vj^c and ninty three, intituled Act for the communication of trade; and thereupon tooke instruments.

9 July 1715.

25. The convention having heard a petition from the burgh of Fortrose. Fortrose, shewing that they are extreamly impoverished and decreased in the number of their inhabitants, and have no manner of commone good nor any lands nor accres belonging to the community, craving therefore the convention would consider their poor circumstances, and grant them some assistance for building ane herbour for the encouragement of fishing, which being considered by the convention, they appointed the burghs of Aberdeen, Inverness, Tain, Elgin, Nairn and Forres, whereof three a quorum, to meet at the said burgh upon the eight day of September next, and consider what conveniencie ther is for ane herbour at the said burgh, and how many fouts of water there may be there at stream tide, and what may be the expence of making the said herbour, and report to the next annual convention.

EDINBURGH.
9 July 1715.

Queensferry,
Rothsay,
Inverkeithing,
Dunbar.

26-30. The convention, having heard petitions from the burghs after-mentioned, allowed (26) to Queensferry £100 Scots "towards the reparation of their harbour and tolbuith"; (27) to Rothsay, £100 Scots "towards the reparation of their harbour and bridge;" (28) to Inverkeithing, £100 Scots "to be bestowed by them upon repairing of and cleansing their said harbour;" (29) to Dunbar £100 Scots towards reimbursement of their "great charges and expences before the lords of session, anent a highway of which they had been in possession past memory of man, which was absolutely necessar for the benefite of the fishing trade of the place;" and (30) to Sanquhar, £100 Scots towards their relief, they having represented "their inability to pay their missive dues, burrow eque, and the ruinous condition of their prison."

Whithern.

31. Approved of commission from the burgh of Whithern.

Anent salt and
fishery.

32. The convention having heard a memorial presented to them anent the salt and fishery of Scotland, which being considered by the convention and the vote being stated: Concur in the said memorial or not,—the commissioner for the burgh of Glasgow craved he might be marked as dissenting from the same, in regard he was not instructed thereanent, and protested that his said burgh might not be lyable in payment of any charges or expences thereanent. Thereafter the convention proceeded to the said vote, and caryed: Concur. And the convention appointed their preses to write to the members of parliament for the severall districts of the royall burrows to grant their countenance and assistance in procuring ane act of parliament made theranent, that Scotland may be upon ane equality with England in the management of that trade, and that the said act may likewise be extended to fleshes; and the convention declared they are to be at no charges or expences in procuring the said act.

Disart.

33. Allowed to the burgh of Disart 200 merks Scots towards reparation of their pier and harbour.

Ferries,
freight of
souldiers.

34. The convention "having heard a petition from several of the royal burrows concerned in the several ferries of Scotland, craving the assistance of the convention in order to obtain satisfaction from the government for the freight which is due for the passage of soldiers at the said ferries," appointed a committee "to make what application they think proper, and to use their endeavours to procure them relief from the government thereanent."

Kilmarnock,
communica-
tion of trade.

35. James Thomson, one of the bailies of Kilmarnock, appeared and renounced the right of the communication of trade granted by the royal burghs to

that town, and protested that they might be free from payment of any quota of cess EDINBURGH.
missive dues on account thereof in all time coming ; to which it was answered 9 July 1715.
that the agreement betwixt the town and the royal burghs being a mutual con- Kilmarnock,
tract, the same cannot be dissolved without consent of both parties, and the communication of trade.
convention refused to accept the renunciation.

36. Remitted to a committee to consider (1) the state and condition of the Unfree trade,
unfree trade, and (2) the agents accounts. accompts.

37. Granted warrant to the burgh of Lanark to pursue the unfree traders Lanark, unfree
within the parishes of Carnwath, Carstairs, Pittinain, Carmichall, Biggar, traders.
Douglas, Lesmahagow and Carlook.

38. Having heard petition in name of John Murray of Touchadam craving Murray of
to be freed of six pennies of the tax roll payable by him on account of the com- Touchadam.
munication of trade, or at least to diminish the same, he having got no relief
from the parishes of St Ninians, Gargunnoch and Kippen, the convention agreed
to take the same to consideration when the tax roll was settled.

39. On petition of the burgh of Aberbrothock, craving the convention to Aberbrothock.
appoint some of the adjacent burghs "to settle such a plan as might be most
convenient for the common interest of their burgh so as they may proceed to elect
a dean of gild and council," the convention appointed a committee to endeavour
to adjust a plan and report.

40. Appointed a committee to meet at the burgh of Wick and inquire into Wick.
the nature of the discords of that burgh, and endeavour to accommodate the
same.

11 July 1715.

71. The committee reported on the agents accounts, the discharge of which Agents ac-
amounted to £5195. 1s. Scots. compts ap-

42. Remitted the agents accounts on unfree trade to be audited by the proven.
committee appointed to sit after the dissolving of this convention. The preses Accompts,
was also directed to thank the laird of Cavers "for his kindness to the burrows unfree trade.
in the matter of the cess, and to desire he would be pleased to grant an order for
quartering against such burghs of barony and regality as have accepted of the
communication of trade and are deficient in payment of their cess."

43. Remitted consideration of a petition from the trades of Aberbrothock Aberbrothock.
to the committee appointed to meet there anent the affair of the guildry.

44. Appointed a committee to sit after the dissolving of this convention Committee.
to consider everything relating to trade, the staple port and unfree traders, and
what else shall be remitted to them.

45. On petition from Kilmarnock, the convention appointed the agent to assist Kilmarnock.
in the reduction of a decret obtained, by some of the inhabitants which hinders
payment of the proportion of the towns quota of the tax roll as formerly.

EDINBURGH.
11 July 1715.
Customs.

46. Upon several complaints made to the convention anent exactions made by the officers of the customs without law, and that these exactions were various in different places, the convention remitted the said affair to the committe appointed to sit after dissolving this present convention, with power to them to use all endeavours to get a table of the said dues so as to be effectual for remeeding the grievances complained upon.

Convoy.

47. The convention recomended to their preses to write to Mr Burchel, secretary to the admiralty, in the conventions name, to intreat a convoy to their herring ships going to the Baltick, and that betuixt the midle of August and the first of September next.

Tain.

48. The commissioner for the burgh of Tain, having, by a petition, tabled several complaints against William Ross of Easterfearn, and craving a warrand to cite him before the committe appointed to sit after dissolving of this present convention, the convention ordained their clerk to acquaint Easterfern thereof, and to know of him if he will submitt the matter in contraversie to the said committe or not; and, in case he will not, the petitioner may convene him before any other judicature he pleases.

Agent at
London.

49. It being moved and put to the vote to continue Mr William Hamilton, agent for the royal burrows at London, another year or not; and it caryed—continue another year—but the commissioner for Glasgow protested that the burgh of Glasgow might be free of paying any part of the said Mr William Hamilton his sellary, to which the commissioner for Perth and severall others adhered.

Salaries and
gratuities.
Convention
dissolved.

50. Appointed the agent to pay certain salaries and gratuities.

51. Dissolved the present meeting, and appointed next general convention to be held at Edinburgh in July next.

GENERAL CONVENTION *held at* EDINBURGH.

EDINBURGH.
15 March 1716.
Sederunt.

Edinburgh, Robert Craig and John Lauder; Dundie, John Scrimsour; Stirling, John Erskin of Carnock; Linlithgow, John Smith; St Andrews, Collin Campbell; Glasgow, John Bowman; Ayr, Robert Moor; Hadingtoun, David Forrest; Disart, David Thomson; Kirkaldie, John Miller; Montrose, James

Coutts; Anstruther Easter, Philip Brown; Dumfreis, Robert Corbet; Inver-
keithing, John Cant; Kinghorn, John Aitkin; Brechin, Mr Andrew Doig; EDINBURGH.
15 March 1716.
Sederunt.
Jedburgh, John Simpson; Kirkudbright, Patrick M'Dougall; Pittenueem, Mr
Robert Clelland; Dunfermling, Mr David Walker; Selkirk, Andrew Wauch;
Dumbarton, Sir James Smollet; Dunbar, William Fall; Lanerk, William
Inglis; Aberbrothock, Patrick Wallace; Peebles, Robert Forrester; Crail,
Alexander Simpson; Tain, Robert Monro; Culross, John Adam; Banf, Sir
Alexander Ogilvie; Rothsay, Archbald Steuart; Forres, Mr William Dawson;
Lauder, John Moffat; Kilrenny, Alexander Stevinsone; Annan, Mr George
Blair; Lochmaben, Sir William Johnston; Sanquhar, Abraham Crichton;
Dornock, Mr Alexander Gordon; Queensferry, George Hill; Kintoir, Robert
Bruce; Inverarie, George Drummond; Stranraer, Mr Robert Dalrymple;
(twenty-four burghs *blank*).

15 March 1716.

1. John Campbell, lord provost of Edinburgh, elected preses.
2. Appointed a committee to revise the commissions.

Preses.
Revising com-
missions.
Commissions
approven,
Dundie.

3. The convention, having heard the whole commissions of the fore-
named committe read in their presence, and the commissions for the
burghs of Dundie, Queensferry and Dornock, not being exactly in the
terms of the plateforme, they, in regard the said burgh of Dundie has no
magistrats legally elected, and considering the present circumstances of
the nation, and that it is necessar the several royal burrows be repre-
sented in this present general convention, therefore the convention
dispensed with the informalities in the saids commissions and approved
of the whole commissions of the said committe for this time; declaring
the same should noways be adduced as a preparative in time coming, and
the whole members of the said committe who had not formerly qualified
themselves in the same capacity did qualifie themselves by taking the
oath of alegiance and abjuration and subscribing the same with the
assurance.

16 March 1716.

4. The convention, upon report of the committe appointed to con-
sider the commissions presented to them, fand that these commissions were
agreeable to the formula or plateforme, excepting the commission from the
burgh of Rothsay, which only bears the commissioner to be qualified by

Commissions
approven,
Rothsay,
Fortrose.

EDINBURGH.
16 March 1716.
Commissions
approved,
Rothsay,
Fortrose.

taking the oaths prescribed by law, without mentioning any other qualification; which informality the convention dispensed with in respect of the present extraordinary emergence, and approved of the same with the other commissions produced, but because it was informed by a member of the committee that the last election of the magistrats of Fortrose was overawed by the Earle of Seaforth and other rebels, who would allow none to be upon the council but such as were for the interest of the Pretender, and that none of the burgesses of the said burgh appeared more for that party than the present commissioner and assessor, and that the assessor was elected provost, the only designed burges, of purpose to screen the illegality of the election, therefore the convention rejected the commission.

Commissions
approved,
Elgin.

5. The convention approved of the commissions from the burghs of Sterling, Kirkcudbright, Dunfermling, Culross and Kilrenny, as also of the commission from the managers of Aberbrothock, in respect of the extraordinary emergency, and remitted the commission from Elgin to the committee, and allowed the commissioner to give in answers to them to the accusations given in against him and the objections made against his commission as flowing from magistrats and council not legally chosen but influenced by the Marques of Huntley and other rebels; as also remitted to the said committee the commission from the burgh of Forres in regard of the objections against the commissioner.

Burntisland.

6. The convention rejected the commission from the burgh of Burntisland, in regard the principall is accused and imprisoned as concerned in the late Rebellion; and the assessor owned he was elected assessor after the date of the commission produced.

Northern
burrows,
rebells.

7. The convention remitted the consideration of the missive to the committee appointed for revising the commissions, and added to the said committee the commissioners for the burghs of Sterling, Jedburgh, Dunfermling, Kilrenny and Sanquhar; and appointed the said committee to enquire into the elections of the northern burrows who were under the influence of the rebels and into the incroachments and impositions made by them upon these burrows, and what may be the most proper expedient to relieve these burrows of their said grievances, and for that end allowed all parties to give in information to the committee that they may report

their opinion thereanent to the convention ; but previous to all other business appointed the committe to bring in the draught of ane address to his Majestie King George, congratulating the success of his armes in defeating the Pretender and his adherents in the late rebellion.

EDINBURGH.
16 March 1716.
Northern
burrows,
rebells.

8. The commissioners for the burghs of Anstruther Easter, Kirkdubright, Aberbrothock, Culross and Kilrenny, were qualified by taking the oath of alegiance and abjuration, and signing the same with the assurance.

Commissioners
qualified.

19 March 1716.

9. The convention approved of the commission from the burgh of Inverara and the commission from the managers of Montrose, in respect of the extraordinary juncture, and the commissioners were qualified by taking the oath of alegiance and abjuration and signing the same with the assurance ; as did also the commissioners from the burghs of Forres and Kintoir whose commissions were formerly approven.

Inverara,
Montrose.

10. The committe to whom the commission from the burgh of Elgin was remitted reported to the convention that they having been informed by one of their own number that the said burgh of Elgin had no legal magistracy, in regard they were under the influence of the rebells the time of their election, and that the magistrats and council of the said burgh had been present at their mercat cross proclaiming the Pretender King of these realms, by the name of James the Eighth, that therefore the council of the said burgh could not legally elect a commissioner to this present convention ; and having heard Archbald Dunbar of Thundertoun, in whose favours the said commission was granted, were therefore of opinion that in regard the said Archbald Dunbar did own, in presence of the committe, that his constituents, the toun council of Elgin, were present at proclaiming the Pretender, they could not legally elect a commissioner to represent the said burgh in this present convention and that the convention should therefore reject the said commission ; and the said Archbald Dunbar being called in craved liberty to withdraw his commission, which was granted ; which, being considered by the convention, they approved of the said committees report and rejected the said commission.

Commission
for Elgin
withdrawn.

EDINBURGH.
19 March 1716.
Draught
address
approven.
Address to his
Majestie.

11. The convention, upon report of the committee to whom it was remitted, approved the draught of ane address to his Majestie, whereof the tenor followes :—

To the Kings most Excellent Majestie. Most gracious Sovereign : Wee, your Majesties most dutyful and loyal subjects, the representatives of the royal burrows of North Britain now assembled together at Edinburgh, most humbly beg leave to congratulat you upon the great and glorious success of your armes under command of his grace the Duke of Argyle, who, through the blessing of God, has been ane happy instrument towards the puting ane end to that unnatural rebellion. The many benefits which we enjoy under your Majesties government and the prospect which after ages have from your royal posterity cannot but ingage us, and all your Majesties loyal subjects, to exert ourselves to the utmost of our power in defence of your sacred person and government upon all occasions with our lives and fortouns. When your Majesties enemies did appear very formidable in their number, and did set on foot many artful and malicious enterprises against your royal person and government, yet the providence of God was so signally obvious in behalf of your Majestie that all these malicious and wicked designes did prove abortive. Wee will not presume to trouble your Majestie with the detale of these remarkable steps which happened during the continuance of the rebellion, they being sufficiently made known to your Majestie by the proper persons, but we beg leave to say that the prudent and valerous appearance of your Majesties forces, under the influence and conduct of that noble person, your general, and these events which followed thereupon, will be certainly remembered to posterity, and must determine them as well as us to say that this is the doing of the Lord and marvelous in our eyes. Permitt us, therefore, great Sir, to think tho your royal ancestors had the glory of establishing our reformation, it hath been reserved to your Majestie to redeem your people from their just fears and apprehensions of being againe brought under the unsupportable yoaik of Popery and slavery. May God preserve your Majestie and your royal issue from all your open and secret enemies, and, after a long and prosperous reign, that we may never want one of your royal line to be the Prince of your people and the guardian of the Protestant Religion, are the earnest prayers of, [etc.]

And the convention recommended to the lord provost of Edinburgh, their preses, to transmitt the said address to Sir George Warrender of Lochend, member of Parliament for the burgh of Edinburgh, to be by him and the other members of parliament for the royal burrows presented to his Majestie, and to write to the secretaries of state and transmitt a copy of the said address enclosed to them.

EDINBURGH,
19 March 1718.
Address to his
Majestie.

12. The convention appointed the commissioners for Edinburgh, Stirling, Dunfermling, Selkirk and Crail as a committe to search the records of the royal burrows and bring in a report to the committe appointed to consider the present general missive of what presidents they find in the saids records of the convention authorizing elections in any of the royal burrows.

Records,
elections.

13. The convention remitted to the committe for the missive the consideration of the memorials given in with relation to the present circumstances of the magistracy and toun council of the burghs of Inverness, Elgin, Fortrose, Dingwall, St Andrews, Dundie, Brechin and Aberbrothock; as also remitted to the said committe to consider the present circumstances of the magistracy and toun council of Burntisland, Montross and Coupar, and such other burghs as may be in the like circumstances; and to draw up such memorials thereanent as they shall think proper to be laid before the convention. As also remitted to the said committe to consider what may be proper to be done in relation to the losses sustained and expenses bestowed by the several royal burrows upon occasion of the Rebellion.

Magistracy of
certain burghs.

14. The convention remitted to the consideration of the above named committe the general rules laid down by the commissioners of the customes for collectors, surveyors, &c., their dues, at the several ports of Scotland.

Customs.

15. The convention agreed to ane address to be presented to his Majestie, the tenor whereof followes:—May it please your Majestie. Your royal burrows of Scotland, now assembled at Edinburgh, to deliberate upon such measures as might best evidence our duty and affection to your sacred persone and government, and that we might imploy the power granted to us by your royal ancestors, and confirmed by several parliaments in this extraordinary juncture, thought it necessar to enquire into

Address to his
Majestie.

EDINBURGH.
19 March 1716.
Address to his
Majestie,

the circumstances of the several burrows, that we might the better understand how they stood affected and had demeaned themselves during the time of the late unnatural rebellion, to the effect that if any of our numbers should be found accessory thereunto or concerned therein, that proper measures might be taken to settle ane honest and faithful magistracy and council in their places, in pursuance whereof some informations have been given and others are expected which will be laid before your Majestie, that your royal pleasure may be known therein, and this has been the chief cause of our meeting at this time. We humbly beg leave to mention to your Majestie that besides the incroachments made upon us by the rebels, their imposing and collecting of cess and other exorbitant and illegal exactions, we have, in your Majesties service, laid out very considerable sums in raising and maintaining of men, subsisting the rebell prisoners, fortifying some of our touns against the enemy, and are now againe distressed by the receiver general for payment of the supply due to your Majestie. But a Prince of so renowned clemency as our King, we trust, will take this matter into consideration. We satisfie ourselves with hinting only at our sufferings, relying absolutly on your Majesties goodnes and justice for procuring redress. Wee are, [etc.] Which address the convention recomended to the lord provost of Edinburgh to be transmitted by his lordship in the usuall manner.

Committee,
customs.

16. The convention added to the former committe, appointed to sit after the last annual convention, the commissioners for the burghs of Kilrenny, Lochmaben and Inverara, and recomended to them to meet with the commissioners of the customes in order to consider the severall complaints made by the trading burrows of the exorbitant fies demanded by the custome house officers, to the end the same may be redressed; and recomended to the severall trading burrows to transmitt to the said committe informations of the exactions made by the said officers at their several ports.

Innovations on
northern
burrows.

17. The convention, in order to know the innovations made upon the northern burrows during the late rebellion in relation to their elections, do remitt to the committe that is to sit after the convention to take such measures as they shall see necessar to enquire into the said affair, to the end the same may be laid before his Majestie in order to be

redressed; and recomends to the several burrows to transmitt to the committe accounts of their respective losses and damages betuixt and the fifteen day of May next, and the committe to send the same when received to his Majestie with all convenient haste.

EDINBURGH.
19 March 1716.
Innovations on
northern
burrows.

18. The convention recomended to the committe that is to sit after dissolving of this present convention to receive the former memorials drawn up by the burrows in relation to trade, and if need be is, to renew copies of the said memorials and send the same to London as formerly.

Memorials as
to trade.

GENERAL CONVENTION *held at* EDINBURGH.

Edinburgh, Robert Craig and John Lauder; Perth, William Austin; Dundie, David Maxuell; Aberdeen, Robert Steuart; Stirling, Colonel John Erskin; Linlithgow, John Andrew; St Andrews, Alexander Watson; Glasgow, John Bowman; Ayr, Robert Moor; Hadingtoun, David Forrest; Disart, David Thomson; Kirkaldie, John Millar; Montrose, John Coutts; Anstruther Easter, John Low; Dumfries, Robert Corbet; Inverness, John Steuart; Inverkeithing, John Cant; Kinghorn, John Aitken; Brechin, John Doig; Irving, John Hamilton; Jedburgh, Andrew Bennet; Wigtoun, Simon Gulline; Pittinueem, Mr Robert Clelland; Dunfermling, Mr David Walker; Anstruther Wester, John Cunningham; Selkirk, Andrew Wauch; Dumbarton, Sir James Smollet; Renfrew, Mr John Cochran; Dunbar, William Fall; Lanerk, William Inglis; Aberbrothock, Patrick Wallace; Peebles, Robert Forester; Craill, Alexander Simpson; Culross, John Adam; Whithern, John M'Govan; Forres, James Brodie; Ruthglen, George Spence; North Berwick, Archbald Lauder; Cullen, Mr John Philp; Lauder, John Moffat; Kilrenny, James Peacock; Lochmaben, Sir William Johnston; Sanquhar, Abraham Crichton; Newgallaway, John Hog; Dinguall, Sir Kenneth M'Kenzie; Queensferry, George Hill; Kintoir, Thomas Buchan; Wick, John Calder; Stranraer, Mr Robert Dalrymple; Campbeltoun, Mr Alexander Campbell; (sixteen burghs *blank*).

EDINBURGH.
3 July 1716.
Sederunt.

3 July 1716.

1. John Campbell, lord provost of Edinburgh, elected preses.
2. Appointed a committee to revise the commissions.

Preses.
Commissions.

4 July 1716.

EDINBURGH.

4 July 1716.

Commissions
approven.

Committee.

Custom-house
fies.

3. Approved of the whole commissions, dispensing with objections to certain commissions.

4. Appointed a committee to consider the missive and what else shall be remitted to them.

5. Appointed a committee "to consider the complaints made as to the exactions of fies by the officers of the customs and the scheme offered thereanent by the commissioners of the custome house board, and to bring in a plan for regulating the same in time coming, with power to them to subcommitt and adjourn themselves as they see cause, and report their opinion thereanent to the convention."

5 July 1716.

Heads of
missive.

6. On report of the committee appointed to consider the missive, the convention appointed certain heads and articles to be continued in next general missive.

Accompts.

7. Appointed the accounts to be laid on the table in order to be perused by the members.

Wick.

8. Remitted to a committee, petition by the burgh of Wick for consideration and report.

7 July 1716.

Sanquhar.

9. The commission from Sanquhar being presented was approved of.

Wick,
elections.

10. The convention, anent the petition given in be John Calder, commissioner for the burgh of Wick, for himself and in name of the rest of the magistrats toun council and burgesses thereof, shewing that King James the Sixth, by a charter under the great seal, produced, dated the twenty fifth of September one thousand five hundred eighty nine years, did erect the toun of Wick into a burgh royal, and appointed the magistrats and toun council thereof to be elected yearly, with advice and consent of George earle of Caithness, his heirs and successors, with this further qualification that they should not be chosen any other manner of way; and albeit the import of the foresaid clause and limitation in favours of the Earle of Caithness and his successors is that the magistrats should present a leit of the persons to be chosen for his approbation,

which has been explained by the custome and practise of this and all other burghs where such a consent is necessary by the charter of erection, yet, upon misapprehending the true intent and designe of the clause, there has been of late some variety in the method of election in the said burgh, especially in absence of the Earle of Broadalbane and the Lord Glenorchy, his son, upon whom the right of the earledome of Caithness and whole priviledges thereof is established ; and, seeing it is absolutly requisit, for the good order and government of the said burgh, that a settled rule for the elections in all time coming should be laid down, according to the meaning and import of the said charter of erection, therefore, craving the convention to appoint that in all time coming the magistrats for the time should make a leit of the persons to be chosen for the following year, and that the said leit be presented to the said Lord Glenorchy and his successors, who are invested with the right of the said earledome and priviledges, that he or they may chose out of the said leit magistrats for the ensueing year, and that the said magistrats may choose the toun council, and that the convention would authorize the foresaid set as ane rule to be observed in all time coming ; as the petition signed by the said John Calder bears ; which being read, the convention remitted the consideration thereof to the commissioners for the burghs of Inverness, Dumfermling, Selkirk, Whithern, Dingwall and Campbeltoun as a committee, and to report their opinion thereanent to the convention. Accordingly, the committee this day reported that they having considered the petition and grounds thereof, with the particular clause of the said original charter in favours of the Earle of Caithness and his successors referring to the election of the magistrats thereof, which runs in these words : Cum speciali et plenaria potestate liberis inhabitantibus et burgen-sibus dicti burgi et suis successoribus in futurum, cum expressis avisamento et consensu dicti nostri consanguinii Georgi comitis de Caithness, ejus hæredum et successorum et non aliter seu alio modo præpositum et quatuor ballivos dicti burgi incolas et habitatores, una cum thesaurario, gildæ decano, consulibus, burgensibus, serjeandis, aliisque officiariis necessariis intradictum burgum pro gubernatione ejusdem faciendi eligendi constituendi et creandi, &c. And they having, likewise, considered the circumstances of the said burgh, it was the unanimous opinion of the com-

EDINBURGH.
7 July 1716.
Wick,
elections.

EDINBURGH.
7 July 1716.
Wick,
elections.

mittee that the express consent of the Earles of Caithness and their successors to the election of the magistrats of the said burgh was indispensibly necessar, and the making a leit by the magistrats for the time being, consisting of tuo out of which a provost, and four out of which tuo baillies are to be named, and the presenting the same thirty days before Michalmass to and the approving thereof by the Lord Glenorchy and his successors, as coming in place of the Earles of Caithness, or by his Sherrif Deput there in case of his absence forth of Scotland, ought to be the rule of electione in all time coming ; and that these magistrats when so chosen and elected are to chose seven councilers, a treasurer, and a dean of gild ; and that the present magistracy represented in this present convention be authorized before expiration of their office to proceed in these terms at the next electione, for the ensueing year, and so forth in all time coming ; and the committe fand that the former set recorded in the burrow books, dated the thirty of October j^m vij^c and eleven, was not conforme to the charter of erection ; as the report bears. Which petition grounds thereof and report being considered by the convention, and ane question being moved and put to the vote—approve of the report of the committee so as to take effect immediatly, or only after July j^m vij^c and seventeen years betuixt and which time parties might object—it caryed that it should take effect immediatly ; and therefore the convention authorized and appointed, and hereby authorize and appoint,* the present magistrats and council of the burgh of Wick and their successors in office in all time coming to make their elections in the terms of the above report, conforme to the forsaid charter of erectione.

Agents ac-
compts.

Aberbrothock,
gildrie, her-
bour.

11. Appointed a committee to consider the agents accounts.

12. The convention, anent the petition given in be Patrick Wallace senior, commissioner for the burgh of Aberbrothock, for himself and in name of the rest of the magistrats toun council and burgesses, shewing that whereas in the general convention of the royal burrows in July j^m vij^c and fifteen years, the commissioner for the said burgh did, contrare to the inclination of the inhabitants thereof and without any instructions from his constituents, apply to the convention for appointing some neighbouring burrows to meet at Aberbrothock for adjusting a plan of

setling a gildrie and choosing a dean of gild and a gild council in the place, contrare to the rights and priviledges thereof formerly practised, and to the set of the burgh given in and registrat in the burrow books, and at reading the missive last day before the convention, it was suggested and told by some of their neighbouring burrows, who were nominat and appointed by the convention for adjusting the said new plan, that the proposal lookt rather like to be a party work then anything for the advancement of the touns intrest; as also that their peer and herbour, what through the neglect of the former magistracy and the violent stormes of the last winter, was altogether ruinous, yea almost razed to the ground, which if not helped in time would tend to the utter ruine of the burgh and be a disadvantage to ships either north or southward bound, seeing they would want sheltering there as formerly when they meet with contrary winds, and the burgh was so far under that they could not perfect such a work themselves without the assistance of the royal burrows, and therefore craving the convention to rescind the act made in July last appointing a new plan to be adjusted for the said burgh, and to interpon their authority to and declare the plan already given in and recorded as said is to be the only plan agreeable to the toun of Aberbrothocks constitution, and likewise to appoint some of their number to right the condition of the peer and herbour, and to report against the next convention; as the petition, signed by the said Patrick Wallace, bears. Which being considered by the convention they rescinded the forsaid act of the last convention in July j^m vij^c and fifteen, and appointed the plan recorded in the burrow books to be the only rule to be observed in time coming by the magistrats and council of the said burgh of Aberbrothock; and appointed the burghs of Dundie, Aberdeen, Montrose and Brechin, or any tuo of them, to visit the herbour of Aberbrothock and report the condition thereof to the next annual convention; and appointed the said burgh to make intimatione of the diet of their meeting.

EDINBURGH.
7 July 1716.
Aberbrothock,
gildrie,
herbour.

13. Granted warrant to the burgh of Linlithgow to pursue the unfree traders within the parishes of Bathgate, Straebrook, Carridin and Torphichen, with power to compound with them for all years bygone, and to apply what shall be recovered for relief of the burghs proportion of the tax roll.

Linlithgow,
unfree traders.

EDINBURGH.
7 July 1716.

14. Excused the burgh of Kirkcudbright for not sending a commissioner to this convention.

Kirkcud-
bright.

9 July 1716.

Table of fees,
customs.

15. On report by the committee to whom it was remitted to adjust a table of fees with the commissioners of his Majesty's customs, approved of the table and appointed the same to be recorded after dissolving this convention, and printed copies to be transmitted to each of the royal burghs.

Dundie, new
port.

16. On a petition from the burgh of Dundie, craving warrant to the town and guildry to grant a tack of their new port, "they granted warrand to the magistrats and toun council of the said burgh of Dundie to set the new port belonging to the said burgh in tack, for the number of nine years, to the best advantage."

Disart.

17. On petition from the burgh of Disart, the convention appointed a committee to visit their harbour, town house and common muir, and to report, and endeavour to accommodate the difference between the burgh and my lord Sinclair anent the common muir.

Wigtown,
unfree traders.

18. Granted warrant to the burgh of Wigtown to pursue the unfree traders in the parishes of Penninghame, Kirkcowan and Kirkcaldie, with power to compound for all years bygone and till July 1718, and to apply what is recovered for relief of the burgh's proportion of the tax roll.

Sir Andrew
Kennedy.

19. Remitted to a committee to consider a letter from Sir Andrew Kennedy, conservator, and to draw up an answer thereto, and to report.

Committee,
unfree traders.

20. Remitted the consideration of the unfree traders to a committee.

10 July 1716.

Agent's ac-
compts.

21. The committee reported upon the agent's accounts from July 1715 to July 1716, the discharge of which amounts to £10,428, 6s. Scots.

Unfree traders,
quartering.

22. The convention ordained the unfree traders of Greenock, Wemyss, Fraserburgh, Dalkeith, Leven, Linkstoun of Kirkcaldie, Stonhive, Kilwinning, Alloway, Airth, Portsoy, Saltcoats and Killymuir to be prosecuted for deficiencies, and directed the agent to supersede action till July 1718 against the unfree traders of Kelso, Doun, Dunce, Caldstream, Keith, Turrieff and St Ninians near Stirling, who have renounced the communication of trade provided they clear all bygones. The convention also appointed a committee to meet with the general receiver, and desire that he would order quartering on the unfree traders for their deficiencies.

Staple port.

23. The convention upon report of the committee for considering the conservators letter, does much complain of the breach of the staple contract

by the merchant ships going by Campvere to Rotterdam and Amsterdam, and that notwithstanding the convention by their act the fifteen day of January j^m vij^c and tuo years appointed Mr Gilbert Stewart, merchant, to prosecute the transgressors of the staple contract, yet these abuses are still committed; for remeed whereof, and for preventing the like in time coming, the convention autherize and require Sir Andrew Kennedy, present conservator, to prosecute all scots merchants and skippers who have caryed or shall cary staple goods to any other port in the united provinces or Netherlands besides the port of Campvere, and to report his dilligence herein to the convention.

EDINBURGH.
19 July 1716.
Staple port.

24. The convention approved of the draught of a letter to the conservator presented to them from the committe and appointed the same to be signed by the lord provost of Edinburgh, their preses, and transmitted by his lordship to the conservator, the tennor whereof followes:—Sir, I received yours of the 3d instant which, according to your desire, I laid befor the convention of the royal burrows, who, after matture consideration of the subject therein contained, first in a committe then in convention, were of opinion with you that the breach of the staple contract in carying of staple goods to other ports in the united provinces then Campveer doth very much prejudice you with relation to your fies, and would readily concurr with you in any method proposed for redress that is consistent with the contract betuixt the royal burrows and magistrats of Campveere and acts of convention appointing not only staple commodities to be caryed to Campvere but also discharging the conservator to exact any conservator dues at any other port in the provinces; and therefore the convention thought the best expedient they could fall on, in order to your having more justice done you in time coming in the matter of your fies, was that the prosecution of the transgressors of the staple contract shall for hereafter be committed to you, whereanent there is ane act made which is herewith transmitted. The convention expects your dilligence herein seeing you are so much interested in the consequences thereof. As to the other parts of your letter, probably they may fall under the consideration of the committe that will be appointed to sit after dissolving of this present convention. I am, [etc.].

Letter to
conservator.

EDINBURGH.
10 July 1716.
Committee
appointed.
Innerkeithing,
election.

25. Appointed a committee to sit after the dissolving of this convention to consider everything relating to trade, the staple port and unfree traders, and what else shall be remitted to them.

26. Ratified and approved of an act of the town council of Innerkeithing, dated 9th instant, for the better regulating of their elections, and appointed the act to be recorded after dissolving this convention.

Loss, rebellion.

27. Remitted to the committee appointed by the 25th act to consider "the losses sustained by the particular royal burrows during the late rebellion, with power to them to make such representations thereanent as they shall see cause."

Fees, burrow
eques.

28. Appointed a committee "to enquire into the reasons of the fees exacted for fitting the burrow eques and the unequality thereof, with power to them to represent the same to the barrons of exchequer and procure redress thereanent."

Agent at
London.

29. The convention "considering that there may be several affaires relating to the royall burrows to be negotiat at London" continued William Hamilton, their agent there for a year and allowed him £25 sterling of salary.

Salaries and
gratuities.
Convention
dissolved.

30. Appointed the agent to pay certain salaries and gratuities.

31. Adjourned the present convention and appointed next general convention to be held at Edinburgh in July next.

Innerkeithing.

FOLLOWES the Act of the Town Council of Innerkeithing, ratified by the 27th act of the foregoing convention :—

Innerkeithing, the ninth day of July j^m vij^c and sixteen years. The provost, bailies, and toun council of the said burgh, taking to their consideration the present rule and set establishing the manner of election of magistracy and toun council within burgh, and finding that many inconveniences has happened by reasone that the set is not exprest as to the time the magistrates can continue in their office, and in regard that it is the practise of the most part of the well regulat burrows within this kingdom to change their office bearers annually, or once in the tuo years at farthest, for preventing of which inconveniency in time coming, and that the magistrates within burgh may be put upon the same footing of the other burrows of this kingdom, and that the inhabitants of this burgh may have access to serve in the office of magistracy in their turn according to their capacity, the magistrats and council *nemine contradicente* enacts and ordains that in all time coming no man shall be capable of bearing the office of baillie, dean of gild or treasurer within burgh longer then for the space of tuo years after his being elected, but at the annual election after the said space the baillies and council shall

be holden and obliged to proceed to election of other well qualified persons in their room; and furdur enacts and ordains that no man shall be capable of being elected baillie, dean of gild or treasurer, unless he has born the office of a commone councillor immediatly for tuo years before, and that none can be elected either baillie or dean of gild but those who have been treasurer or in the same office before; and appoints John Cant, their present commissioner to the convention of the royal burrows presently siting at Edinburgh, to applye for the ratification of this present act; whereupon the same is signed by us, day, month, place and year of God above written. *Sic subscribitur*: Roseberie, preses; Jo: Cant, James Steedman, baillies; William Deas, dean of gild; James Bowers, treasurer; Francis Henderson, Robert Main, Thomas Anderson, John Deas, James Graham, Geo: Smiton, John Craich, William Hodge, James Stenhouse, councillors.

EDINBURGH.
10 July 1716.
Innerkeithing.

Extracted by (*sic subscribitur* :) WILLIAM CHARTERS, depute.

MEETING OF COMMITTEE, *held at* EDINBURGH.

16 March 1717.

Edinburgh, John Wightman and William Wightman; Irving, John Hamilton; Pittenuem, Mr Robert Clelland; Dunbarton, Sir James Smollet; Renfrew, Mr John Cechran; Dunbar, William Fall; Whithern, John M'Govan; Cullen, Mr John Philp; Newgallaway, John Hog; Campbeltoun, Mr Alexander Campbell.

EDINBURGH.
16 March 1717.
Sederunt.

1. John Campbell, lord provost of Edinburgh, elected preses. Preses.
2. The lord provost of Edinburgh presented to the committe a letter direct to his lordship from Sir John Kennedy, son to the deceast Sir Andrew Kennedy of Clowburn, conservator of the Scots priveledges in the Netherlands, in relation to the office of conservator, which being read in presence of the committe they were unanimously of opinion that it was not proper for them to intermeddle in any competition betuixt the said Sir John and his brother in relation to the said office, especially considering they were informed that a new gift was past his Majesties

EDINBURGH.
16 March 1717.

hands in favours of his said brother, and therefore recomended to the said lord provost, their preses, to acquaint him thereof.

Customs.

3. The committe, considering that not only his Majestie is defrauded of his revenues by the runing of goods without payment of customes, but likewise the same is a great prejudice to all honest and fair traders and to the countrey in general, in regard there is not a sufficient fond in the saids customes for payment of the drawbacks appointed by law, besides many other inconveniences that do attend the same, were therefore of oppinion that a paragraph be subjoyned to the general missive recomending to the several royal burrows to send up their commissioners to the next annual convention fully instructed to propose such overtures as may be most expedient for preventing the same in time coming, and recomended to the dean of gild of Edinburgh and Sir James Smollet to draw up the said paragraph to be insert in the said missive.

Trade.

4. The committee, considering the great decay of several branches of the trade of this part of the united kingdom, and that it is the proper province of the royal burrows to endeavour to fall upon such expedients as may be most proper for recovering the same, they were therefore of opinion that the whole royal burrows should be desired to send up their commissioners fully instructed to propose such overtures in the next general convention as may be most conducive for recovering our decayed trade in its several branches, and this to be a head of the next general missive; and recomended to the dean of gild of Edinburgh to convene some of the considerable trading merchants in and about the good toun to hear what overtures they can make for effectuating so good a designe, that the same may be laid before the next general convention.

19 March 1717.

Sederunt.

Edinburgh, John and William Wightmans; Irving, John Hamilton; Pittenueem, Mr Robert Clelland; Dunbarton, Sir James Smollet; Renfrew, Mr John Cochran; Dunbar, William Fall; Whithern, John M'Govan; Cullen, Mr John Philp; Newgallaway, John Hog; Campbeltoun, Mr Alexander Campbell.

Preses.

1. John Campbell, lord provost of Edinburgh, elected preses.

Trade,
customs.

2. The committe, taking into their serious consideration the present state of the trade of the nation and the causes of the decay thereof, they

were of opinion that the imbazeling and runing of goods, without paying his Majesties dutys, is not only highly prejudicial to his Majesties revenue but discouraging to fair traders, and that thereby the fond appointed by law for payment of drawbacks and debentures is become very uncertain, whereby the nation in general sustains a considerable loss, and that therefore the next general convention should fall upon ways and means to prevent the same, which being of so general concern they recomend it to the lord provost of Edinburgh to make this a head of the next missive, and therefore each burgh are desired to send up their commissioners fully instructed with proposals to prevent such practises in time coming.

EDINBURGH.
19 March 1717.
Trade,
customs.

GENERAL CONVENTION *held at* EDINBURGH.

Edinburgh, John and William Wightmans; Perth, Robert Robertson; Dundie, James Alison; Aberdeen, John Gordon; Stirling, James Christie; Linlithgow, John Andrew; St Andrews, Collin Campbell; Glasgow, John Bowman; Ayr, Robert Moor; Hadingtoun, Mr James Dods; Disart, James Abercrombie; Kirkaldie, John Miller; Montrose, Alexander Strachan; Coupar, William Rig; Anstruther Easter, John Low; Dumfreis, John Corsbie; Inverness, Jonathan Thomson; Inverkeithing, Francis Henderson; Kinghorn, Robert Bruce; Brechin, Mr John Doig; Irving, John Hamilton; Jedburgh, John Simpson; Kirkudbright, James Gordon; Pittenueem, Robert Borthwick; Dunfermling, Mr David Walker; Anstruther Wester, John Cunningham; Selkirk, Andrew Wauch; Dumbarton, Sir James Smollet; Ranfrew, Mr John Cochran; Dunbar, William Fall; Lanerk, John Russell; Aberbrothock, Patrick Wallace; Elgin, Lodovick Brody; Peebles, Robert Forrester; Crail, Alexander Simpson; Culross, Mr John Bruce; Banf, Mr Andrew Hay; Whithern, John M'Govan; Forres, Thomas Fordyce; Ruthglen, John Muir; Northberwick, Archibald Lauder; Cullen, Mr John Philp; Lauder, John Moffat; Annan, Mr George Blair; Lochmaben, Sir William Johnston; Sanquhar, Abraham Crichton; Newgallaway, John Hog; Dinguall, Sir Kenneth M'Kenzie; Queensferry, George Hill; Fortrose, Alexander Gordon; Wick, John Calder; Stranraer, Andrew M'Credie; Campbeltoun, Mr Neill Campbell; [thirteen burghs *blank*].

EDINBURGH.
2 July 1717.
Sederunt.

2 July 1717.

1. Charles Hope, one of the bailies of Edinburgh, elected preses.

Preses.

EDINBURGH.
2 July 1717.
Commissions,
assessors.

2. Appoinied a committee to revise the commissions. "Thereafter the convention approved of the committees commissions as to the principals, and reserved to themselves to consider the qualifications of the assessors when they come to take their places at the board in absence of their principals."

3 July 1717.

Commissions
approven.

3. On report of the committee the convention approved of the whole com missions.

Articles in
missive, dues,
absents,
Burntisland.

4. Having heard the missive read, the convention appointed certain heads and articles to be continued in next annual missive, and remitted the consideration of other articles to a committee. Ordained the agent to prosecute those in arrear for missive dues. Unlawed the absent burghs in £100 Scots each, but excused Kilrenny as their commissioner is indisposed. Remitted to the committee to consider and report on the condition of Burntisland.

4 July 1717.

Missive.

5. On report by the committee, the convention appointed certain other articles to be continued in next general missive.

Fortrose.

6. Having considered the article in the missive as to the convenience of a harbour at Fortrose, the convention of new remitted to a committee "to enquire into the conveniency of the said herbour, and to make estimats of the expenses for making thereof, and to enquire into the condition of the commone good and inhabitants of the said burgh, and to report to the next annual convention."

Herbour of
Aberbrothock.

7. Having considered report of the visitors as to the condition of the harbour of Aberbrothock, the convention recommended the burgh to put their harbour in good condition at the sight of certain burghs who were "to enquire into the common good and inhabitants of the burgh of Aberbrothock, and report to next annual convention."

Commissions.

8. Having heard commissions from the burghs of Dundie, Irving, Banf, Dingwall and Campbeltoun, and the reasons why the commissioners did not sooner attend the meeting, the convention accepted of the reasons and excused the commissioners.

Conservator's
commission.

9. The convention having heard a letter from his Majestie, King George, direct to the convention of the royal burrows, relating to the office of conservator of the Scots priviledges of the Netherlands, with a commission in favours of Mr Andrew Kennedy to be conservator of the saids priviledges, they received the said commission and appointed the

said letter and commission to be recorded in the burrow books after the acts of this present convention, and remitted to the burghs of Edinburgh, Perth, Dundie, Aberden, Glasgow, Ayr, Hadingtoun, Selkirk, Dunbarton and Crail, as a committe to consider what may be further necessary to be done thereanent, and to report to the convention.

EDINBURGH.
4 July 1717.
Conservator's
commission
received.

10. Mr Andrew Kennedy, conservator, presented in convention a letter from the toun of Campvere to the generall convention of royal burrows in relation to the staple port, which being read in their presence they remitted the consideration thereof to the forsaid committee to report their oppinion thereanent to the conventione.

Letter from
Campvere.

11. The agent presented his accompts for this present year, which were ordered to lye upon the table to be perused by the members of the convention.

Agent's ac-
compts.

5 July 1717.

12. The convention, upon report of the committee to whom it was remitted to consider ane overture given in by the deacon conveener of Edinburgh, one of the commissioners for the said burgh, in relation to the none residence of burgesses within burgh, they approved of the draught of ane act thereupon, the tennor whereof followes: The convention, considering that by the tuo hundred and twenty fifth act of the fourteen parliament of King James the sixth, intituled Anent the priviledge of burrows—it is statut and ordained that all manner of persons inhabitants of the free burrows exerceand any manner of traffick in merchandise or having exchange within the same, shall bear their part of all stents and taxations, watching and warding, in all dutys pertaining to our Sovereign Lord, the well of the realme and utility of the burgh, with this addition that the samen shall be extended to all merchants or craftsmen, as well free as unfree, that has no other duelling place but within burgh and has their commoditie within the same burgh and bears no burden of taxation without the same burgh; and, considering that several trading burgers do exerce trade and merchandise within several of the royal burrows, when at the same time they do not reside with their families in any of the royal burrows, to the manifest prejudice of the

Trading
persons,
residence.

EDINBURGH.
5 July 1717.
Trading
persons,
residence.

burgh royal where they take the benefite of the trade ; therefore the convention, in pursuance of the above and several other acts of parliament, statute and ordain that no person whatsoever, as well free as unfree, shall have the benefite of trading or merchandise within any of the royal burrows unless he reside with his family therein at least eight months of the year and bear ane part of the stents, taxations, watching, warding, and other burdens with the rest of the inhabitants ; and if he shall presume to do in the contrare that his trade or merchandise be taken from him and be fined and unlawed conforme to the acts of parliament and acts of burrows ; and the convention recomended to the several royal burrows to cause put the forsaid acts of parliament to due execution within their severall bounds, and appointed thir presents to be printed and cyps thereof to be transmitted to the severall royal burrows to be recorded in their books, and publick intimation thereof to be made in their respective burghs, and to report their dilligence herein to the next general convention.

Sir Andrew
Kennedy
admitted
conservator,
&c.

13. The convention, upon report from the committee appointed to consider ane gift from his Majestie in favours of Mr Andrew Kennedy, son to the deceast Sir Andrew Kennedy of Cloburn, nominating and appointing him conservator of the Scots priviledges in the Netherlands, &c., together with a letter from his Majestie to the royal burrows recommending him to them, the convention received and admitted the said Mr Andrew Kennedy to be conservator of the Scots priviledges in the Netherlands, &c., with power to him to uplift the fies and dues as his deceast father did uplift, conforme to the standing table, untill the next general convention, and appointed that it be ane head of the next general missive that all the members which shall meet in the general convention in July, j^m vij^c and eighten come up fully instructed as to what fies and dues the conservator shall have for supporting of his dignity and character, and whether the burrows shall enter into a new contract with the toun of Campvere or any other place in the Netherlands as to the staple port ; and in order to facilitat the said affair, the convention autherize and appoint the committee that shall be impowered to sit after dissolving of this present convention to consider the whole affair of the staple port, and what has been done by the former conventions during the time of the

late conservator, in relation to dues or fies exacted by him, that the next general convention may have the samen fully before them at their meeting. Thereafter the convention appointed the commissioners for Edinburgh and Dunbarton to prepare and bring in to the convention the draught of a letter from them to the Duke of Roxburgh, and another to the toun of Campvere, in relation to the affair of the conservator, but, befor the convention agreed to the said act, the commissioner for Aberdeen protested against the conservators uplifting fies conforme to the standing table as former commissioners for Aberdeen had done, and thereupon tooke instruments in the clerks hands; to which protestation the commissioner for Kirkaldie adhered. Thereafter the said Mr Andrew Kennedy qualified himself by taking the oath of alegiance and abjuration and subscribing the same with the assurance.

EDINBURGH.
5 July 1717.
Sir Andrew
Kennedy
admitted
conservator
&c.

14. Remitted to a committee to consider the agents accounts anent missive dues and unfree trade, "and Mr Gavin Plummers memorial anent unfree traders," and to report.

Agents
accompts,
unfree trade.

15. Commission from the burgh of Elgin read and admitted.

Elgin.

16. Appointed a committee to bring in the draught of an address to his Majesty.

Address to his
Majesty.

17. Appointed the agent to pay to Mr Andrew Kennedy, consrevator, £50 sterling for defraying his charges to Campvere, against which Glasgow and Perth protested.

Conservator,
£50.

18. On petition from Kirkaldie, the convention appointed a committee to visit the burgh "and report the particular condition thereof and of their harbour and basteeils or sea walls to the next generall convention, and bring in an estimat of what shall be necessar for repairing the said harbour."

Kirkaldie.

19. On petition from Elgin, the convention appointed a committee to visit the burgh "and report the particular condition thereof to the next general convention; and the convention declared that in case it should be found that said burgh did stand in need of a supply, and that the general contribution made some years agoe for their herbour was faithfully employed that they would grant to the said burgh such a gratuity as they shall see meet."

Elgin.

20. Anent the "memorial relating to the curing of fishes and fleshes with home made salt in order to exportation," the convention remitted to a committee "to consider the said affair and to consult with merchants of this city in regard it is a matter of great importance to the trade of this nation," and to report by Monday next.

Curing with
home made
salt.

21. Remitted petition from Innerkeithing to a committee.

Innerkeithing.

EDINBURGH.

5 July 1717.

Difference
betwixt Wick
and Sir James
Dunbar.

22. Anent the petition from the burgh of Wick, shewing that the said burgh by their charter of erection have a large commony annexed to it, and also a priviledge of casting and winning peets for the use of the burgesses and inhabitants within the same, and have been in use of fishing in a bay of the sea all manner of white fish for sale and support of the inhabitants of the toun, notwithstanding whereof Sir James Dunbar of Hempsrig and his lady, William Sinclair of Freswick, and others of their commanding and hounding out, knowing the toun to be in a very mean condition and not able to support their intrest and get themselves redrest, have most unjustly and unwarrantably, contrare to all law, inclosed a considerable part of the touns commony in a park which brings the poor inhabitants under very straitning circumstances through want of grassing to their cattle, which is their main support; the said Sir James and other persons above named will not suffer the petitioners to winn their peets in the commone mass, nor pass the commone highways to it without payment of duties imposed by them at their own hand, and in case any of the burgesses or inhabitants refuse to pay their carriage or what ells they have about them is taken from them and detained while they make payment, nor will the said Sir James and other persons above named suffer the inhabitants to fish in the bay of the sea which is commone to every persone, but poynds their nets and other materials for fishing; all which brings the inhabitants of the burgh under very melancholy and straitning circumstances; and William Mullikin, postmaster of Wick, when he receives the missives direct for the said burgh, doth, contrare to the faith reposed in such persons, deliver the missive to Sir James Dunbar; therefore craving the convention in commiseration of the burghs circumstances would ordain their agent to prosecute the injuries done upon the expence of the burrows, and appoint some of their number to make a complaint to the postmaster general of the indignities done by the postmaster of Wick to the convention, and of the prejudice done to the toun of Wick in particular, that care may be taken of the burrows concerns in missives for the future, as the petition bears. Which being considered by the convention they appointed the burghs of Inverness, Fortrose and Dinguall, or any tuo of them, to meet with the said Sir James Dunbar and William Sinclair of Freswick, in order to enquire

into the facts complained of, and to endeavour ane adjustment of the differences betuixt them and the said burgh ; and to make the same the more effectuell recomended to the preses of the convention to writ to the said Sir James Dunbar and Freswick, in name of the said convention, that they do expect justice will be done to the said burgh of Wick at sight of the saids commissioners, otherways the convention will find themselves obliged to undertake their defence in order to have grievances complained of redres'd ; and farder recomended to the dean of gild of Edinburgh to represent to the postmaster general what is complained of in the postmaster of Wick as ane indignity done to the convention as well as to the said burgh, and to entreat of the postmaster general his best offices to prevent any such abuse in time coming.

EDINBURGH.
5 July 1717.
Difference
betwixt Wick
and Sir James
Dunbar.

23. Anent the petition from John Spruell, merchant in Glasgow, the convention appointed the commissioners for the burgh of Edinburgh and Glasgow to meet with Bailie Neilson, who received the money from the burrows for defraying the expence of the prizage wine, in order to endeavour ane accomodation in the said matter and report.

Prizage wine.

24. The convention appointed ane address agreed to in the convention anno j^m vij^c and twelve, to her late Majestie, in favours of the deceast William Cochran and David Andersone, merchants in Edinburgh, against Captain Chamberlain, commander of his Majesties ship the "Rubbie," to be renued to his Majestie King George, in regard the former address was to her late Majestie Queen Ann, and could not be presented to her by reasone of the said Captain his absence forth of the kingdom some considerable time ; of which address the tennor followes :—To the Kings most excellent Majestie. [Here follows address in terms similar to that printed *supra* pp. 63, 64.]

Address to his
Majestie
agreed to.

8 July 1717.

25. The convention having considered the memorial offered by the merchants, fishers and dealers in fish upon the coast of Fife, and other places in Scotland, humbly intreating that the honourable convention would please to allow their favourable assistance and concurrence to the memorialists for procuring ane act of parliament allowing proportional

Memorial by
merchants
delayed.

EDINBURGH.
8 July 1717.
Memorial by
merchants
delayed.

drawbacks on fish exported and cured with home made salt, answering to the duty's payed for salt in England, and recomend to the representatives of the several districts of the royal burrows in parliament to contribute their utmost endeavours for effectuating thereof, as the memorial bears; the convention having heard the opinion of merchants thereanent, and after much reasoning thereupon, they, in regard the same was ane affair of great importance to the trade of the natione and that several members of the royal burrows were not instructed thereanent, they delayed the further consideration thereof till the third Tuesday of November next, at which time they recomended to the several royal burrows to send up their commissioners fully instructed thereanent to the convention to meet at Edinburgh upon the said third Tuesday of November next; and ordained their clerks to direct missives accordingly.

Dunbar.

26. Commission from Dunbar presented and admitted.

Debentures on
corns and fish.

27. Remitted to a committee consideration of memorials from the burghs of Aberdeen and Crail anent the debentures upon corns and fish payable by law to the merchants exporters.

Coupar.

28. On petition from the burgh of Coupar, "shewing that their bridge and streets are become ruinous, and their milles, which was the great revenue of the said burghs, are in danger of falling every day," the convention allowed the petitioners £10 sterling towards reparation of their mills and bridge.

Linlithgow.

29. In compliance with petition from Linlithgow, the convention allowed that burgh to pursue the unfree traders within the parishes of Abercorn, Kirklistoun, Dalmeny, Inchmachan and Livingstoun, and to apply what shall be recovered for their own relief.

Dundie.

30. Having heard petition from the burgh of Dundie, "shewing that their harbour is so filled up that unless it be speedily cleansed it will be impossible for ships to go out and in, and their bulwarks, tolbuith and steeple, are become so ruinous that they are in danger of falling, which publick works the toun is not in a condition to repare by reason of their great debt," the convention remitted to a committee to visit the burgh and estimate what expense may be necessary for repairing the works and to report.

Annan.

31. Allowed the burgh of Annan to feu a part of their muir and set another part in tack, for twenty one years, for payment of their debts.

Stranraer.

32. Having heard a petition from the burgh of Stranraer, "complaining of their heavy proportion in the tax roll, and representing their deplorable and sad condition, being only worth ten pounds ten shillings Scots of commone good, their customes being applied to their schoolmasters sellary, and that the trade of the

burgh is utterly decayed, having no manner of trade either by sea or land, nor ships nor barks belonging to them," the convention remitted to the burghs of Ayr, Wigtoun and Whithern to visit Stranraer and report. EDINBURGH.
8 July 1717.
Stranraer.

33. Granted warrant to the burgh of St Andrews to pursue the unfree traders within the parishes of Lewchars, Cameron, and the villages of Kinkaple and Byrehills, and to apply what shall be recovered to their own relief.

34. Granted warrant to the burgh of Kirkcudbright to pursue the unfree traders within the bounds and district of the burgh and to apply what shall be recovered for their own relief. Kirkcud-
bright.

9 July 1717.

35. The convention, upon report of the committe to whom it was remitted to consider the memorials given in by several of the trading burrows representing the great prejudices the trading merchants do sustain for want of ane office of pleas in the court of exchequer in Scotland, did recomend to the several members of parliament representing the royal burrows to obtain ane act of parliament or clause in ane act of parliament for settling ane office of pleas in the said court of exchequer in Scotland, or such other office therein as may be proper with the powers competent to such office in England and to the judges and juries of the court of exchequer there, and appointed the particular royal burrows to writ to the members of parliament representing their several districts for that effect. Offices of pleas
in exchequer.

36. Upon application from the burgh of Innerkeithing, the convention allowed the said burgh to chose such persons to be treasurers of their said burgh as they shall think fit although the saids persons have not been tuo years upon their council, anything in the contrary in their former set notwithstanding. Innerkeithing,
treasurer.

37. The convention, upon report of the committe to consider the memorial given in by the commissioner for the burgh of Craill, recommended to the lord provost of Edinburgh to writ to the lords commissioners of admirality in order to procure convoyes to Clyd and the south and north coasts for security of the trade of the Baltique, and that the said convoyes may be sent yearly betuixt and the first of September, and did further recomend to the said lord provost of Edinburgh to writ to the Russian company to know what steps they have taken in procuring Admiralty,
convoyes.

EDINBURGH.
9 July 1717.
Admiralty,
convoyes.

redress of the losses sustained by the taking of ships by the Suedish privateers; and appointed the several royal burrows to send up lists of the ships taken by the saids privateers to the said lord provost; and the convention remitted to the committee to be appointed to sit after dissolving of this present generall convention to consider what may be further necessary to be done in the said affair and make such application thereanent as they shall think proper.

Committee,
customs.

38. The convention remitted to the committee to sit after dissolving of this present convention to meet with the commissioners of his Majesties customes, and. to complain of their officers exacting of exorbitant fies contrary to law at their several ports, and endeavour to procure redress thereanent, and make such further application for having the said grievance redrest as the said committe shall think fit, and likewise recomended to the said committe to endeavour at their meeting with the saids commissioners to adjust such measures as may be thought proper for puting ane effectual stop to the runing of goods upon the coast of Scotland, the same being not only greatly prejudicial to his Majesties revenues but likewise to all fair traders in this part of the United Kingdom, and likewise recomended to the said committe to endeavour to procure from the saids commissioners that the bonds formerly given by merchants for linnen cloth exported may be delivered up to them, inregard there is ane act of parliament regulating the same, in time coming.

Act anent
sufficiency of
skins.

39. The convention having heard the draught of ane act anent the sufficiency of skins they approve therof, whereof the tennor followes: The general convention of the royal burrows of this kingdom, taking to their due and serious consideration the great hurt and prejudice that does arise to the merchants buyers who are in use to transport skins beyond seas, and to the tradesmen who manufactor and use the same at home, and to all his Majesties leidges within this kingdom in general, by the great abuse committed by the fleshers who present the same to be sold in all the publick markets in the several royal burrows of this kingdom, by cutting, scoring, tar-leathering, pulling, blaining and mishaping the saids skins, and otherways spoyling and abusing them, so that they are not so vendable abroad at the staple port and other places where the

samen are transported in dressed leather, as otherways they should be ; for remeid thereof, the general convention aforsaid do hereby not only ratyfie, approve, renew and confirme all former acts of the royal burrows of this kingdom made against the cuting, scoring, tar-leathering, pulling, blaining, and mishaping of skins, but also further statute, appoint and ordain, the fleshers and owners of all bestial to present and bring the bulks and hyds and skins therewith to be sold in open market, at market time of the day, under the pain of confiscation of such bulks as shall be brought wanting skins, and that none of the saids skins be sold but in open market and while they be visited and sighted by the visitors underwritten appointed for that effect, under the pain of confiscation thereof as aforsaid ; and do hereby expressly prohibit and discharge that none of the saids skins be anyways cutted, tarleathered, pulled or mishapen, in any part thereof, and that they have the tuo blood holes with lugs, under the penalty of five shilling Scots to be exacted from the owners for ilk skin that shall be found to have the saids faults ; and further prohibits and discharges all sheep and lamb, goat, kid, and calf skins to be scored, holed or blained, in any part thereof, under the penalty of eight pennies Scots for ilk score, hole or blain, that shall be found therein, to be exacted from and payed by the fleshers, owners thereof ; and that the saids faulty skins shall be separated and laid aside from the rest and sold by themselves according to the value thereof, under the like penalty to be exacted of new againe from the fleshers, owners thereof, and, for the more effectual restraining and discovering of the forsaid abuses, herby appoints and ordains the several magistrats of the royal burrows of this kingdom to nominat and appoint a skinner and a flesher in ilk burgh to visit the saids skins and discover the faults therein above-mentioned, and that the saids magistrats appoint any one of the incorporation of the skinners where the samen are incorporat to be overseers to the saids visitors, and that from time to time as the magistrats shall see occasion to see the premisses duly observed ; and the saids visitors are to have tuo shilling Scots for ilk twenty skins so visited, to be payed by the merchant and skinners, buyers thereof ; and the penalties above-written so to be incurred to be applyed to the use of the commone good of the several burghs where the saids faulty skins shall

EDINBURGH.
9 July 1717.
Act anent
sufficiency of
skins.

EDINBURGH.
9 July 1717.
Act anent
sufficiency of
skins.

be found and discovered ; and it is hereby declared that the saids visitors shall have power to detain and keep the saids faulty skins ay and while the penalties above exprest be duly payed in manner above-mentioned ; and recomends to the magistrats of the several burghs of this kingdom to provide a fit persone who shall be obliged to keep records of the skins sold by the fleshers, to the effect the visitors may be duely payed of their fees above specified, certifying such as shall conceal and not give up true and exact accompts of the skins sold by them they shall be lyable in payment of the double of the forsaid imposition and be further punished as the magistrats shall think fit ; and appoints this act to be duly published tuice in the year through all the royal burrows of this kingdom, the market time and place.

Agents ac-
compts of
missive dues.

40. The committee reported that they had audited the agents accounts of intromission with the missive dues from July 1716 to July 1717, the discharge of which amounted to £3322, 1s.

Accompts of
unfree trade.

41. The committee reported that they had audited the agent's accounts of intromissions with the sums due by unfree traders for the benefit of the communication of trade. There was a balance of £171, 16s. 2d. Scots in the agents hands, and resting by the burghs of barony and regality who had accepted of the communication of trade, £6815, 10s. 5d. Scots. For the more effectual inbringing of arrears, "the committe were of opinion that application should be made to Mr Gavin Plummer that he would be pleased to forbear quartering upon the burrows and concur with the agent in procuring the regular troops to be quartered upon the several burghs deficient ay and while they pay up their rests, and that the convention satisfie him for his forbearance." The convention approved of the report and remitted to a committee to confer with Mr Gavin Plummer to the effect therein mentioned.

Drawbacks on
fish, flesh, and
corn.

42. The convention, considering that it is not only a great loss to the merchants concerned in the drawbacks upon fish, flesh and corn, due by law to the exporters, that the same are not duly payed but also that the same is greatly prejudicial to the land intrest, that the debentures due to the exporters of corn are stopt in their payments, they did therefore remitt to the commite to be appointed to sit after this general convention to consider what may be the most effectual method for procuring payment thereof and make such application as they shall think necessar thereanent, and recomended to the several members of the royal

burrows to commune with the gentlemen who are most concerned to have the drawbacks made effectual to the exporters of victual how far they will contribute to the charges of the said affair in case it shall be found necessar to appoint a proper persone to negotiat the same, and report to the next general convention appointed to meet upon the third Tuesday of November next.

EDINBURGH.
9 July 1717.
Drawbacks on
fish, flesh, and
corn.

43. The convention having heard the draught of ane address to be presented to his Majestie, as also a letter to the right honourable the Duke of Roxburgh, secretary of state, and a letter to the toun of Campvere, they approved of the same, the tennor whereof followes :—To the Kings most Excellent Majestie: The humble address of the representatives of the royall burrows of North Britain assembled in their annual convention. This being the first meeting of your royal burrows since your Majesties return from abroad, we thought it our indispensible duty to embrace the opportunity that we might joyntly and unanimously congratulat your Majesties happy and safe arrival. When we consider the good conduct and success of your negotiations with forreigne powers, so much conducing to the prosperity and flourishing of your own dominions, and that your Majestie did so carefully provide for the safety of [your] own kingdoms during your absence, by putting them under the direction of his royal highness the Prince of Wales, who in his councils and conduct did exactly imitat your royal example, what people are so happy as we under the best of kings. We beg leave also to take nottice that, by your Majesties prudence, care and influence, we are delivered from the attempts of a Sueddish invasion which did so long threaten us. These, and many other blessings which we enjoy under your auspicious reign, can not but endear our hearts and affections to your sacred person and government. Nothing at the time remains for us except to put up our most fervent prayers to Almighty God that your Majestie may have a long and prosperous reign over us which will be the greatest earthly happiness we can enjoy. We are, [etc.] *Sic subscribitur*: CHARLES HOPE, Preses. My Lord: The royall burrows who are now assembled in their annual convention having resolved upon ane address to his Majestie have sent the same inclosed, which we desire your Grace will be pleased to present to his Majestie as you have ane opportunity. At

Address and
letters ap-
proven.

Address to his
Majestie.

Letter to the
Duke of Rox-
burgh.

EDINBURGH.
9 July 1717.
Letter to the
Duke of Rox-
burgh.

Letter to the
toun of Camp-
reve.

the same time your grace will be pleased to informe his Majestie that his royall burrows have received the conservators commission, together with his Majesties most gracious letter relating thereto, which we ordered to be recorded in our books, and have given Mr Kennedy, the conservator, all the countenance and encouragement in our power for the present. We depend upon your graces good offices in this matter and in what ells may concern the intrest of the royall burrows; and we are, with the utmost respect, my lord, [etc.] *Sic subscribitur*: CHARLES HOPE, preses. Right honourable: We received yours, dated the 27th of the last month, and judge ourselves bound to acquaint you that we have received Mr Andrew Kennedy, conservator of the Scots priviledges in the Netherlands, by a gift from his Majestie under the great seal, and we recomend him to your favour. The renewing of the staple contract being a matter of such consequence (as by the forme of our procedure we cannot determine ourselves in without previously acquainting our constituents therewith) we cannot give your honours any positive answer in that particular sooner as our next annual convention which is to meet the first Tuesday of July next, to which meeting we have directed the several burrows of the nation to send up their commissioners fully instructed in this matter. We recomend you to Gods protection, and are, with great respect, etc. And appointed the said address and letters to be signed by the preses in name of the convention and transmitted by him.

10 July 1717.

Customs house
at Blackness.

44. The convention appointed the burghs of Edinburgh, Perth, Glasgow, Dumbarton and Gallaway, to concur with the burgh of Linlithgow in the memorial to be offered be them to the commissioners of his Majesties customs for getting the customs house appointed at Blackness in place of Borrowstounness, and to give all the countenance and concurrence that may be necessary for getting the same made effectual.

Memorial from
the merchants
of Edinburgh.

45. The convention having considered a memorial from the merchants of Edinburgh, shewing that the convention of the royal burrows, being the only society which remains intire since the Union indued with considerable priviledges, might be very useful to cary on the

national intrest with respect to trade in its present languishing state if a sum of money were provided by the convention annually for that purpose and put into the hands of a select committe of their own number, to be by them applyed according to the exigence of affaires and accounted for to the annual convention. The memorialists have been frequently called to give advice in relation to matters of trade, but are sorry to observe that the pains taken by the royal burrows in matters of trade has had very little effect, and they can imagine no other reason for it but the want of money to cary on what is proposed. The grievances of the nation with respect to trade are very many and so well understood by the convention that they need not enter into a detail of them. How soon the convention has agreed to find a sum of money for forwarding in parliament what shall be agreed upon, the memorialists cheerfully concur in giving their advice and assistance, and doe judge a sum not exceeding five hundred pounds sterling might be very profitaby employed to the great advantage of the nation and greater honour of the royall burrows. Which being considered by the convention they appointed the said memorial to be a head of the general missive in November next, and appointed each burgh to send up their commissioner fully instructed what may be necessary to be done in relation to the said memorial, and allowed their agent to advance a sum not exceeding ane hundred pounds sterling towards the defraying the charges of the said publick concerns ; and the convention declared they would take to their consideration what may be further necessar for defraying the charges in the said affaires at their next annual meeting.

EDINBURGH.
10 July 1717.
Memorial from
the merchants
of Edinburgh.

46. The convention remitted to the committee that shall be im-
powered to sit after dissolving of this present convention to consider what
may be the most effectual remedy for freeing the royal burrows of the
great expence they are put to in furnishing of coal and candle to his
Majesties souldiers when quartered in the royal burrows to be laid before
the conventione in November next.

Coal and
candle to the
forces.

47. The convention appointed their agent to advertise such of the
burghs of barrony and regality, or other unfree traders as have accepted
of the communication of trade, to be present the next annual convention
at the alteration of the tax roll.

Unfree traders.

EDINBURGH.
10 July 1717.
Stages betwixt
Dumfreis and
Portpatrick.

48. The convention, upon a memorial from Sir Robert Adair, barronet, craving that the convention would concur with severall of the noblemen and gentlemen of the kingdom in their request to the commissioners of the general post office for settling of five stages betuixt Dumfreis and Port Patrick for establishing a correspondence betuixt Brittain and Ireland, the convention granted their concurrence to the said request in so far as the same was not prejudicial to any of the posts already settled.

Committee.

49. The convention appointed a committee to sit after the dissolving of this convention to consider everything relating to trade, the staple port and unfree traders, and what else is remitted to them.

Agent at
London.

50. Continued William Hamilton to be agent at London for a year at a salary of £25 sterling.

Sellaries and
gratuities.
Convention
dissolved.

51. Appointed the agent to pay certain salaries and annuities.

52. Dissolved the present meeting, and appointed next convention to meet at Edinburgh on the third Tuesday of November next.

Commission
to Andrew
Kennedy as
conservator.

Followes Mr Andrew Kennedy, his commission as conservator of the Scots priviledges of the Netherlands; with his Majesties letter to the royal burrows; appointed to be recorded by the ninth act of last convention: GEORGIUS, Dei gratia, Magnæ Britanniaë, Franciaë et Hiberniaë, Rex, Fideique Defensor: Omnibus probis hominibus ad quos præsentēs literæ nostræ pervenerint, salutem: Quandoquidem nos regio nostro animo perpendentes quod per decessum domini Andree Kennedy, nuper de Cloburn, in illa parte Magnæ Britanniaë Scotiaë vocatæ, officium conservatoris privilegiorum gentis Scotiaë in Belgio et ibidem residentis pro rebus Scotiaë, in nostris manibus et ad nostram donationem et dispositionem perventum sit; et quemadmodum nobis humillime representatum est quod Andreas Kennedy, filius secundo genitus prædicti domini Andree Kennedy, est persona ad exertendum dictum officium conservatoris gentis Scotiaë in Belgio apprimo instructus et quod concessui illi dicti officij illum ad sustentationem sui matris relictæ dicti quondam domini Andree ejusque familiaë qui tali auxilio et sustentatione magnopere egeant viribus suppeditare conducet: Igitur, et ob hasce considerationes, nominavimus, constituimus et ordinavimus, tenoreque præsentium, nomina-

mus, constituimus et ordinamus dictum Andream Kennedy, durantibus omnibus suæ vitæ diebus, Conservatorem esse privilegiorum regalium nostrorum burgorum Scotiæ Campoveriæ alijsque locis in Zelandia, vel quocunque in loco infra limites septemdecem Belgij provinciarum, ac etiam factorem et consulem nostrum ibidem pro illius; dando et concedendo illi prædicta officia conservatoris, factoris et consulis, non minore auctoritatis juris et libertatis amplitudine quam quivis alius conservator ullo tempore preterito potitus est; et speciatim cum potestate illi dictum Andree Kennedy, deputatos, unum seu plures, sub se in dictis officijs, pro quibus respondebit, nominandi et constituendi, cum clericis, assessoribus omnibusque alijs curiæ membris, et eosdem pro arbitrio locandi et dislocandi; et cum potestate illi dictis officijs, cum omnibus dignitatibus, libertatibus, privilegijs, feodis, immunitatibus et casualitatibus eo spectantibus, per se vel deputatos suos, ut prædicitur, utendi et exercendi, perque factores vel servos suos, omnes et singulos census et emolumenta ad dicta officia pertinentia rogandi, levandi et recipiendi; necnon cum potestate, illi, vel dictis suis deputatis, delinquentium personas apprehendendi eorumque bona distringendi et vendendi; mandamus pariter, per presentes, mercatoribus, factoribus, navarchis, omnibusque alijs quorum presentes, intersunt vel interesse poterint, ut dictum Andream Kennedy, ejusque deputatos, in fideli dictorum officiorum functione, omni qua par est, reverentia, honore, respectu et obedientia prosequantur; atque ipsi suisque ejus nomine deputatis, factoribus alijsque omnia feoda, census et emolumenta ad dicta officia pertinentia, sub summa pæna et prout nobis respondebunt si in contrarium fecerint, prompte et grato animo persolvant; proviso semper, quod dictus Andreas Kennedy, in hac commissione fungendo nullomodo cum commercio subditorum nostrorum Angliæ immisceat. In cujus rei testimonium, præsentibus sigillum nostrum, per Unionis tractatum custodiendum et in Scotia vice et loco Magni Sigilli ejusdem utendum ordinatum, appendi mandavimus, apud aulam nostrum de St James's, vigesimo die mensis Februarij anno Domini millesimo septingentesimo decimo septimo regnique nostri tertio. Per signaturam manu S. D. N. regis superscriptum. Written to the seall and registrat the first day of March 1717. Sealed at Edinburgh the first day of March one thousand seven hundred and seventeen years.

EDINBURGH.
10 July 1717.
Commission to
conservator.

EDINBURGH.
10 July 1717.
Translation of
commission to
conservator.

GEORGE, by the grace of God, of Great Britain, France and Ireland, King and Defender of the Faith: To all good men to whom our present letters may come, greeting: Whereas we in our royal mind considering well that by the death of Sir Andrew Kennedy, late of Cloburn, in that part of Great Britain called Scotland, the office of conservator of the privileges of the Scottish nation in the Netherlands, and resident there for Scottish affairs, has fallen into our hands and at our gift and disposal; and that it has been most humbly represented to us that Andrew Kennedy, second son of the said Sir Andrew Kennedy, is a person well instructed to exercise the said office of conservator of the Scottish nation in the Netherlands; and that by the granting to him of the said office it would help to supply him with resources for the support of his mother, relict of the said late Sir Andrew, and his family, who greatly need such assistance and sustentation: Therefore, and for these considerations, we have nominated, constituted and ordained, and by the tenor of these presents, nominate, constitute and ordain the said Andrew Kennedy, during all the days of his life, to be conservator of the privileges of our royal burghs of Scotland at Campvere and other places in Zeland, or elsewhere within the limits of the seventeen provinces of the Netherlands, and also our factor and consul there for them; giving and granting to him the foresaid offices of conservator, factor and consul, with no less amplitude of authority, right and liberty than any other conservator at any time past possessed; and specially with power to him, the said Andrew Kennedy, to nominate and appoint deputies, one or more, under him in the said offices for whom he shall answer, with clerks, assessors and all other members of court, and with power to him to appoint and discharge them at pleasure; and with power to him of using and exercising the said offices, with all dignities, liberties, privileges, fees, immunities and casualties belonging to the same, by himself or his deputies as said is, and to ask, levy and receive, through his factors or servants, all and singular dues and emoluments belonging to the said offices; and also with power to him or his said deputies to apprehend the persons of offenders, and to distrain and sell their goods; in like manner we by these presents command that merchants, factors, shipmasters, and all others whom these presents concern or may concern, treat the said Andrew Kennedy and his deputies, in the faithful exercise of the said offices, with all due reverence, honour, respect and obedience; and that they pay readily and thankfully to him and his deputies in his name, factors and others, all fees, dues and emoluments belonging to the said offices under the highest penalty, and as they shall answer to us if they shall do in the contrary; provided always that the said Andrew Kennedy, in the exercise of this commission, shall in no way meddle with the trade of our subjects of England. In testimony whereof we have ordered to be appended to these presents, our seal appointed by the treaty of union to be kept and used in Scotland in place of the great seal thereof, at our court of St James's, the twentieth day of the month of

February, in the year of our Lord one thousand seven hundred and seventeen, EDINBURGH.
and the third of our reign. Superscribed by the sign manual of our sovereign 10 July 1717.
lord the King.

Trusty and Welbeloved : We greet you well. Having granted our com- Letter from
his Majesty.
mission, under the seal appointed by the treaty of Union to be kept
and made use of in Scotland in place of the great seal of Scotland, to Mr
Andrew Kennedy to be conservator of the priviledges of our royal burrows
of Scotland at Campvere and other places in Zeland, or elsewhere in the
United Provinces, as also our consul there for them, in whose loyalty,
faithfulness and dilligence we are fully satisfied, it is our pleasure that he
have all due countenance and encouragement from you in the faithful
discharge of his duty in that trust, wherein we doubt not but he will
acquitt himself both faithfully and dilligently ; and so we bid you fare-
well. Given at our court of St James's, the 24th day of June 1717, in
the third year of our reign, by his Majesties command. *Sic subscribitur* :
Roxburgh.

GENERAL CONVENTION *held at* EDINBURGH.

Edinburgh, John Wightman and Patrick Turnbull ; Perth, Robert Robert- EDINBURGH.
19 November
1717.
son ; Dundie, David Maxuell ; Aberdeen, Robert Steuart ; Stirling, James
Christie ; Linlithgow, John Smith ; Glasgow, John Aird ; Ayr, Robert Moor ; Sederunt.
Hadingtoun, Mr James Dods ; Disart, James Abercrombie ; Anstruther Easter,
John Low ; Dumfries, John Corsbie ; Inverness, James Dunbar ; Innerkeithing,
Francis Henderson ; Kinghorn, Robert Bruce ; Pittinueem, William Broun ;
Dunfermling, Robert Anderson ; Selkirk, William Chisholm ; Dumbarton, Sir
James Smollet ; Renfrew, Mr John Cochran ; Dunbar, William Fall ; Lanerk,
William Inglis ; Elgin, James Anderson ; Peebles, Robert Forrester ; Crail,
Alexander Simpson ; Tain, George master of Ross ; Culross, James Robertson ;
Forres, Alexander Brodie ; Ruthglen, John Muir ; Northberwick, Sir Robert
Dalrymple ; Lauder, John Moffat ; Sanquhar, Abraham Crichton ; Newgallaway,
John Hog ; Queensferry, George Hill ; Fortrose, Alexander Gordon ; Kirkwall,
James Traill ; (twenty-nine burrows *blank*).

19 November 1717.

1. William Neilson, lord provost of Edinburgh, elected preses.
2. Appointed a committee to revise the commissions.

Preses.
Commissions.

EDINBURGH.
20 November
1717.

20 November 1717.

Commissions
approven.
Memorial
delayed.

Drawback,
merchants'
memorial.

3. On report of the committee, the convention approved of the commissions.
4. Delayed till tomorrow consideration of the memorial by merchants, fleshers and dealers in fish on the coast of Fife.

5. Remitted to a committee articles of the missive anent drawbacks upon fish, flesh and corn, and the memorial by the merchants of Edinburgh given in to last convention.

Coal and
candle, acts
as to quarter-
ing soldiers,
mutiny.

6. The convention having heard the last article of the missive anent the great expence the royal burrows are put to in furnishing of coal and candle to his Majesties soldiers when quartered in burghs royal, they remitted the consideration thereof to the forsaid committee, and recomended to them to bring in ane overture thereanent and the draught of a letter to be sent to the representatives of the several districts of the royal burrows desiring their concurrence for procuring redress thereof, and appointed the burrow agent to cause print the Scots acts of parliament anent quartering of soldiers and such clauses out of the act of the last session of the parliament of Great Britain anent mutiny and desertion as the committee shall think proper, and appointed the same to be transmitted to the several royal burrows for their information.

21 November 1717.

Curing fish,
memorial from
merchants.

7. The convention having heard the first and second articles of the missive, with a memorial from the merchants, fishers and dealers in fish on the coast of Fife in Scotland, humbly intreating that the convention would allow their concurrence and assistance in procuring ane act of parliament allowing proportional drawbacks upon fish exported and cured with home made salt, answering to the duties payed for salt in England, and recomended to the representatives of the several districts of the royall burrows in parliament to contribute their utmost endeavours for effectuating thereof; with the reasons humbly offered to the British parliament for liberty to that part of Great Britain called Scotland to make use of their own home made salt in curing fish and flesh for exportation; as also a memorial from the merchants of Edinburgh thereanent, with

some arguments given in by the commissioner for the burgh of Inverness against curing fish for exportation with home made salt, and some reasons given in by the commissioner for the burgh of Glasgow against concurring with the saids memorialists; and, after much reasoning thereupon, the vote was stated: Concur with the memorialists recommending small salt or not, it caryed in the negative. Thereafter adjourned the meeting of the convention till three o'clock this afternoon.

EDINBURGH.
21 November
1717.
Curing fish,
memorial from
merchants.

8. The convention having taken to their consideration the third and fourth articles of the missive, and finding that it is not only very prejudicial to the merchants, exporters of corn, but likewise to the land intrest, that the debentures due by law are stopt in their payments, as also that it will be a great benefite to this part of the United Kingdom that a court of pleas be established amongst us and likewise a table of fies settled as the rule of exaction by the officers of the customes at the several ports, and finding that all endeavours hitherto used for effectuating the saids designs have been ineffectuall, they do therefore appoint a proper persone to be sent to London to negotiat the saids affaires before the parliament in the most proper manner, and appoints Mr William Hamilton, their agent at London, to concur with him; and the convention remitts to the committe appointed to sit after dissolving of the last annual convention to enquire after and grant commission to such a persone as they shall think proper to negotiat the same, and to draw up instructions to be given to him and correspond with him from time to time when at London, and to appoint their agent to advance to him a sum not exceeding one hundred pounds sterling in the terms of the forty fifth act of the last annual convention, and in case a fit persone cannot be found who will undertake to negotiat the same they remitt to the said committe to appoint the said Mr William Hamilton, their agent, to manage the saids affaires; and, in either of the saids cases, recommends to the forsaid committe to writ to the particular members of parliament, both representing the shires and royal burrows of this part of the United Kingdome, desiring their countenance and concurrence in promoting thereof; and likewise the convention recommends to the particular members of the royal burrows to writ to the members of parliament representing their severall districts to grant their concurrence therein; and the convention of new

Debentures,
corn, court of
pleas, customs.

EDINBURGH.
21 November
1717.
Debentures,
corn, court of
pleas,*customs.

remitts to the forsaid committe to consider what may be the most effectuall remedy for freeing the royal burrows of the great expence they are put to in furnishing of coal and candle to his Majesties soldiers when keeping guard in burghs royal.

MEETING OF COMMITTEE *held at* EDINBURGH.

EDINBURGH.
31 December
1717.
Sederunt.

Edinburgh, John Wightman and Patrick Turnbull; Ayr, Robert Moor; Irving, John Hamilton; Newgallaway, John Hog; Hadington, George Cockburn; Dumfermling, Mr David Walker; Whithern, John M'Govan; Sanquhar, George Irving; Dunbarton, Sir James Smollett.

31 December 1717.

Preses.

Commissioner,
drawbacks,
court of pleas,
custome-house
fies.

1. William Neilson, lord provost of Edinburgh, elected preses.
2. In pursuance of the remit contained in the 8th act of last convention, the committee appointed Mr Patrick Campbell of Munzie, advocate, their commissioner to London "to sollicite the ready and regular payments of the bounty moneys due or that shall happen to be due in time coming upon exporting of corns, as also the establishment of a court of pleas in the exchequer of Scotland, as also a table ascertaining the respective fies payable by merchants at the several ports to the custome house officers."

GENERAL CONVENTION *held at* EDINBURGH.

EDINBURGH.
1 July 1718.
Sederunt.

Edinburgh, John Wightman and Patrick Turnbull; Perth, Robert Robertson; Dundie, David Maxuell; Aberden, John Gordon; Stirling, James Christie; Linlithgow, John Andrew; St Andrews, Collin Campbell; Glasgow, John Aird; Ayr, Robert Moor; Hadingtoun, Mr James Dods; Disart, James Abercrombie; Kirkaldie, Mr James White; Montrose, John Coutts; Coupar, William Rig; Anstruther Easter, Thomas White; Dumfreis, John Corsbie; Inverness, James Dunbar; Innerkeithing, Francis Henderson; Kinghorn, Robert Bruce; Brechin, John Doig; Irving, John Hamilton; Jedburgh, John Simpson; Kirkudbright, James Gordon; Wigtoun, Alexander Campbell; Pittenueem, William Broun; Dumfermling, Robert Anderson; Anstruther Wester, John Cuninghame; Selkirk, Thomas Hallyday; Dunbarton, Sir James Smollet; Renfrew, Mr John Cochran; Dunbar, William Faa; Lanerk, William

Inglis ; Aberbrothock, Patrick Wallace ; Elgin, Robert Innes ; Peebles, Robert Forrester ; Crail, John Bethun ; Tain, Generall Charles Ross ; Culross, James Robertson ; Banf, Mr Andrew Hay ; Whithern, Mr John M'Govan ; Forfar, Alexander Innes ; Rothsay, James Stewart ; Forres, Ludovick Brody ; Ruthglen, John Muir ; Northberwick, Sir Robert Dalrymple ; Cullin, Mr John Philp ; Lauder, John Moffat ; Kilrenny, James Peacock ; Annan, Mr George Blair ; Lochmaben, Sir William Johnston ; Sanquhar, Abraham Crichton ; Newgalloway, John Hog ; Dingwall, Robert Monro ; Queensferry, George Hill ; Fortrose, Alexander Gordon ; Kintoir, Robert Bruce ; Inverurie, John Fergusson ; Inverarey, Donald Campbell ; Wick, John Calder ; Kirkwall, John Coventry ; Inverbervie, James Cormak ; Stranraer, Andrew M'Credie ; Campbeltoun, Robert Chalmers ; (Burntisland, Nairn, and Dornock, *blank*).

EDINBURGH.
1 July 1718.
Sederunt.

1 July 1718.

1. William Neilson, lord provost of Edinburgh, elected preses.
2. Appointed a committee to revise the commissions.

Preses.
Commissions.

2 July 1718.

3. On report by the committee the convention approved of the commissions, "except those from Rothsay and Campbeltoun which are not good as to the assessors, but only with respect to the principals ; and in regard there are two commissions from the toun of Wick from two different sets of magistrats and councilers, viz., one in favours of Sir James Dunbar of Hemsrig and another in favours of John Calder, the convention having considered the same they fand that John Calder his constituents were the persons duely elected in the terms of the plan prescribed by the convention 1716, whereas nothing is adduced to instruct that Sir James Dunbar his constituents were elected with any regard thereto, and therefore the convention appointed the said John Calder to be received as representative of the said burgh in this present convention."

Commissions
approved.

4. Having considered the heads of the missive the convention appointed certain heads and articles to be continued in next general missive. They also remitted to a committee "to consider and report to the convention their opinion how far it may be the intrest of the royal burrows to enter into a new contract with the toun of Campvere, or any other place in the Netherlands, as to the staple port, yea or not ; and, if the new contract shall be entred into, what fies and dues the conservator shall have for supporting of his character."

Heads of mis-
sive continued,
staple port.

5. The convention added six burghs "to the grand committee."

Grand com-
mittee.
Members
qualified.

6. Certain members qualified themselves by taking the oath of allegiance and abjuration and signing the same with the assurance.

EDINBURGH.
3 July 1718.

3 July 1718.

Committee's
report anent
heads and
articles of
missive ap-
proven.

Mortifications.

Anstruther
Wester.

Disart.

Salt.

Linlithgow,
Wigtoun,
Lanark.

Aberbrothock,

7. The committe appointed to consider the severall heads and articles of the missive remitted to them, reported their opinion thereanent as followes, viz., that the fourth article anent misapplying mortifications be continued a head of the next missive, inregard there is no complaint made against any particular burrow in the said matter. And fand that the burgh of Anstruther Wester was in a miserable and low estate, standing in need of many reparations, which by the visitors report will extend to fourty pounds sterling; but inregard the committe does not as yet know what the convention will be able to bestow that way till the state of the other poor burrows be laid before them they delayed to give their opinion to the convention in the said matter at this time. And fand that the toun of Disart had faithfully applyed the sum of tuo hundred merks Scots money given by the convention to them, and much more of their own, but that much is yet wanting to put the toun and herbour in ane tolerable repare, and were of opinion that the said burgh give in to the convention a particular account of their commone good and debts, and that the convention give such assistance to them as they shall see meet inregard the burgh of Disart some time agoe did make a considerable figure and contributed to the assistance of other decayed burrows. And that the eight article anent executing the laws enjoinning the selling of salt by weight only within the respective burrows be continued as a head of the next annual missive. And that the eleventh, tuelve and thirten articles, anent the burghs of Linlithgow, Wigtoun and Lanerk, reporting their dilligence in pursuing the unfree traders in their respective neighbourhoods, that the same stand as heads of the next missive inregard the commissioners for these burghs say they are in a course of dilligence and will be able to give some tolerable account thereof the next year. And fand by the report of the visitors anent the burgh of Aberbrothock that the burgh had expended a considerable sum in repairing their publick works, and that a great sum will yet be necessary for repairing of their herbour which the toun was noways able to defray, and seeing what was expended already in repairing of their herbour was upon the conventions faith that they should be some way reimbursed, therefore the committe

were of opinion that the said burgh give in ane exact state of their commone good to the convention, to the end they may be satisfied as to the grounds upon which they proceed, and this being done the committee recomended to the convention to consider the state of the said burgh in the first place. And fand the report concerning the burgh of Kirkcaldie did bear that the burgh was in a necessitous condition and that many publick works want to be repaired, therefore the committee were of opinion the convention should consider their circumstances amongst other supplicating burrows as they shall see just. And fand by the report of the visitors appointed to visit the burgh of Elgin that it appeared the general contribution made to them was faithfully employed, and a great dale more of their own money, in the publick works of the toun, and that the circumstances thereof are very clamant inregard of their high proportion of the tax roll, therefore the committee recomended to the convention to grant ane ease to the said burgh when the tax roll comes to be altered. And fand by the report of the visitors appointed to visit the burgh of Dundie that it appeared it would take no less then six thousand merks Scots money to cleanse their herbour and repare the bulwarks thereof, the tolbuith and steeple, so as to make them stand, but inregard the visitors had taken no nottice of their revenue, commone good of the burgh, and their debts, judging themselves not impowered thereto by the act, therefore the committee were of opinion that the commissioner for the burgh give in a distinct account thereof to the convention that all may be under consideration, whereby it may appear how far the said burgh stands in need of a supply and assistance from the burrows. And fand by the report of the visitors appointed to visit the burgh of Stranraer that it appeared they had only ten pounds ten shillings Scots money of commone good, and ane hundred pounds of Scots money of customes, which was applyed yearly for payment of the minister and schoolmaster, and that the toun was very poor, therefore the committee were of opinion that the convention have regard to their circumstances at altering the tax roll. And the committee were of opinion that the twenty fifth and twenty sixth articles of the missive, anent the burghs of Aberdeen and Kirkudbright pursuing the unfree traders within their respective bounds, be continued as heads of the next missive, in respect they are in a course

EDINBURGH.
3 July 1718.
Committee's
report anent
heads and
articles of
missive ap-
proven.
Kirkcaldie.

Elgin.

Dundie.

Stranraer.

Aberdeen,
Kirkud-
bright.

EDINBURGH.
3 July 1718.
Committee's
report anent
heads and
articles of
missive ap-
proven.
Forres.

of dilligence against them. And fand that it appeared, from the report of the visitors appointed to visit the burgh of Forres, that they were building a covering upon their tolbuith for preserving the vault and steeple, which will extend to one hundred pounds sterling money, and that the wayes at the west and east end of the bridge must be cassey'd, which will cost fifty pounds sterling more, and that their commone good was but tuo hundred and seventy pounds Scots, which fell far short of paying the annual rent of their debt and other necessar expence of the burgh, therefor the committe recomended the said burgh to the consideration of the convention to be assisted and supplied as they shall see just. Which reports being considered by the convention they approved thereof.

Annan, Inner-
bervie, Fort-
rose.

8. The commissions from the burghs of Annan and Inverbervie, being read in presence of the convention were approven, and the commissioner for Fortrose gave in the sett of his burgh quhich was appointed to be recorded.

Trading
persons,
residence.

9. The convention having reconsidered the sixteen article of the missive, bearing that no person whatsoever have the benefite of trade within any of the royall burrows except he reside therein with his family eight months of the year and bear a part of the publick burdens, appointed the commissioners for the burghs of Edinburgh, Perth, Aberden, Stirling, Glasgow, Ayr, Inverness, Dumbarton and Dunbar, as a committe to consider the said affair more fully and bring in the draught of ane act thereanent ; and farder the convention remitted to the said committee to consider the unfree trade and the fishing and everything relating thereto and report their opinion thereanent.

Wick's
petition.

10. The convention remitted the consideration of ane petition presented to them be John Calder, baillie of Wick, and the remanent magistrats and toun council thereof, complaining of several abuses committed upon the toun of Wick and the liberty and property of the inhabitants thereof, by Sir James Dunbar of Hemprigs and his lady, William Sinclair of Freswick, and others influenced by them, to the commissioners for the burghs of Edinburgh, Aberden, Stirling, Coupar, Dumbarton, Dunbar, Elgin, Tain, Forres and Lochmaben, whereof five a quorum, to consider the said petition and to hear the parties thereanent and report their opinion.

5 July 1718.

EDINBURGH.
5 July 1718.

11. The committee appointed [by the 9th act] were of opinion the same be continued a head of the next missive, with this addition that no burges or freeman cover unfreemans goods under collour of his own, with certification if he do in the contrare the trade or merchandise shall be confiscat and he fyned and unlawed conforme to law and acts of burrows ; which being considered by the conventione they approved of the said report and recomended to the severall burrows to put the same to vigorous execution with the forsaid act, certifying such as shall failt therein that the convention will proceed against them according to the acts of parliament and acts of convention.

Anent traders
residing within
burghs.

12. The committee represented to the convention a proposal given in to them by the assessor to the burgh of Glasgow anent applying to the parliament for obtaining a port in Scotland to which wool may be imported from Ireland, which being read the convention remitted the same to the commissioners for the burghs of Edinburgh, Perth, Aberden, Stirling, Glasgow, Ayr, Dumbarton, Dunbar and Lochmaben, as a committee to consider the proposall and report their opinion thereanent ; as also remitted to the same committee the representation given in by Robert Rutherford of Fairnilie.

Anent wool
imported from
Ireland.

13. The committee appointed [by the 10th act] reported that they, having considered the petition with the report of the visitors relative thairto, fand it proven that Sir James Dunbar had forced a new magistracy and council upon the toun of Wick in opposition to those legally chosen in the terms of the set (which was approven of by the convention), and has committed severall other acts very prejudiciall thereto and particularly mentioned in the report, and considering that the said Sir James declined to meet with the visitors autherized by the convention to repare to Wick to enquire into the grievances complained of, albeit he was acquainted with the diet of meeting, in order to ane amicable agreement, and also that he refused to see and answer the petition given in to the convention tho acquainted by the committe of the burrows for that effect ; and farder considering that the said burgh of Wick is not in a condition to prosecute any relief upon their own charges, therefore were

Report anent
Wick's
petition.

EDINBURGH.
5 July 1718.
Report anent
Wick's
Petition.

of opinion that the convention should appoint their agent to concur with the said burgh of Wick in any proces that shall be advised to be most proper for restoring of the said burgh to the peaceable possession of their properties and priviledges, and this to be done upon the charges of the royal burrows at the sight of the commissioners for the good toun of Edinburgh to this general convention ; which being considered by the convention they approved thereof and appointed their agent to concur with the said burgh of Wick upon the charges and expences of the royal burrows in the terms and to the effect mentioned in the report.

Innerkeithing,
assessor.

14. A commission from the burgh of Innerkeithing in favours of John Cant as assessor to the commissioner representing the said burgh being read was approven.

Burntisland.

15. Remitted to a committe to report their opinion anent a petition on behalf of the burgesses and inhabitants of Burntisland, together with a representation of the present state and condition thereof.

Committee to
make up the
tax roll.

16. The convention, considering that the tax roll is now to be altered, appointed a committee to make up the roll ; and before they proceed to take the following oath :—" I shall truely and faithfully, according to the best of my knowledge, execute the trust reposed in me by the convention of distributing the tax roll, as I shall ansuer to God."

7 July 1718.

17. The commissioner for Glasgow, who had been elected a member of the committee, protested against an oath being required of the members.

9 July 1718.

Staple contract
prolonged.

18. The committe to whom it was remitted to consider the affair of the staple reported that they, having considered the whole articles of the staple contract with a letter from the lords of the toun of Campvere to the general convention of royal burrows, were of opinion the convention should prolong and continue the said staple contract for the space of twenty one years from and after the twenty fifth of December next at which time the present contract does expire ; which being considered by the convention they approved thereof and appointed a letter to be written to the lords of Campvere acquainting them that the general convention of royal burrows are willing to prolong and continue the said staple con-

tract for the space of twenty one years from and after the twenty fifth of December next, and have given commission and instructions to Andrew Kennedy, esquire, conservator, for that effect; and appointed the lord provost of Edinburgh, preses to the convention, to signe the said letter; and ordained the said commission in favours of the said Andrew Kennedy, conservator, to be extended against the next meeting of the convention; and the said Andrew Kennedy has renunced and hereby renunces any benefite that may accress to him from any former acts of general conventions conceived in favours of any former conservators, his predecessors, and did intirely submitt himself to the generall convention as to any fies, dues or casualities, he shall have for supporting of him in his character and dignity. •

EDINBURGH.
9 July 1713.
Staple contract
prolonged.

19. The convention appointed Andrew Kennedy, esquire, conservator, their commissioner to the toun of Campvere for renewing the staple contract, to endeavour to get herrings cured in Scotland and salt made in Scotland included in the list of staple goods; as also to get the fifth article of the said staple contract so far rectified that when, upon occasion of any differences amonst merchants, arbitrators and ane umpire are chosen, the decision of the said arbitrators and umpire may be finall and decisive, and their determination may not be subject to be reversed by any other judges for preventing of expences to all parties concerned; but if these cannot be obtained the prolongation of the said staple contract is not to be stopt upon that account.

Articles of
staple con-
tract.

20. The convention continued the present standing table of fies payable to the conservators at the staple port, and appointed one per cent to be payed to the conservator for tuo years to come out of all goods brought to the staple port from Scotland, and that in place of three quarters per cent formerly in use to be payed, the said one per cent to be collected in the same manner that the commission money payable to factors is collected; and appointed the said conservator to transmitt yearly to the annual convention authentick documents to instruct what dues he receives at the said staple port; against which duty of one per cent the commissioner for Aberden protested.

Fies payable
to conservator.

21. The convention, considering that it might be of great benefite to the manufactories of this part of the United Kingdom if a port were

Importing wool
from Ireland.

EDINBURGH.
9 July 1718.
Importing wool
from Ireland.

opened for the importation of wool from Ireland, and that if the same could be obtained the port of Dumbarton would be the most commodious place, they did therefore appoint application to be made to the parliament for that effect, and remitted to [nine burghs] as a committee to draw up reasons to be offered to the parliament for opening said port for the importation of the said Irish wool.

Bruntisland.

22. The convention having heard a petition from the burgh of Burntisland showing that ther being no magistrats nor toun council in the said burgh, their commone good and other publick concerns being in great confusion, and their inhabitants in danger of being ruined thereby, craving therefor the convention would empower a proper person for uplifting their commone good and appoint stentmasters who may equally and impartially proportion the cess amongst the inhabitants in the meantime, [they appointed the commissioners for Kirkaldie Innerkeithing and Kinghorn, to meet at Burntisland and take an exact account of their common good, to grant warrant to a fit person to uplift the same, and to appoint stentmasters to proportion the cess].

10 July 1718.

Report anent
proportioning
the tax roll.

23. On recommendation of the committee on proportioning the cess, the convention appointed the following to be the rolls till the annual convention in 1723 :

	Proportions of £100.	Proportions of £2.		Proportions of £100.	Proportions of £2.
Edinburgh . .	£36 0 0	...	Innerkeithing .	£0 5 0	£1 15 5
Perth . .	3 8 0	...	Kinghorn . .	0 7 0	2 9 7
Dundie . .	4 10 0	£31 17 6	Brechin . .	0 9 0	3 3 9
Aberden . .	6 0 0	...	Irving . .	1 4 0	8 10 0
Stirling . .	1 8 0	9 18 4	Jedburgh . .	0 17 0	6 0 5
Linlithgow . .	1 3 0	8 2 11	Kirkcudbright .	0 6 0	2 2 6
St Andrews . .	0 7 0	2 9 7	Wigtown . .	0 6 0	2 2 6
Glasgow . .	18 10 0	...	Pittinueem . .	0 4 0	1 8 4
Air . .	0 18 0	6 7 6	Dumfermling . .	0 17 0	6 0 5
Haddingtoun . .	1 4 0	8 10 0	Anstruther Wester	0 1 0	0 7 1
Disert . .	0 3 0	1 1 3	Selkirk . .	0 10 0	3 10 10
Kirkaldie . .	1 6 0	9 4 2	Dumbarton . .	0 6 0	2 2 6
Montrose . .	2 4 0	15 11 8	Renfrew . .	0 6 0	2 2 6
Couper . .	0 10 0	3 10 10	Dunbar . .	0 8 0	2 16 8
Anstruther Easter	0 5 0	1 15 5	Lanerk . .	0 12 0	4 5 0
Dumfreis . .	2 0 0	14 3 4	Aberbrothock . .	0 10 0	3 10 10
Inverness . .	1 18 0	13 9 2	Elgin . .	1 0 0	7 1 8
Burntisland . .	0 6 0	2 2 6	Peebles . .	0 9 0	3 3 9

	Proportions of £100.	Proportions of £2.		Proportions of £100.	Proportions of £2.	EDINBURGH. 10 July 1718.
Craill . . .	£0 8 0	£2 16 8	Dingwall . . .	£0 2 0	£0 14 2	Report anent the tax roll.
Tain . . .	0 4 0	1 8 4	Dornock . . .	0 3 0	1 1 3	
Culross . . .	0 3 0	1 1 3	Queensferry . . .	0 6 0	2 2 6	
Banf . . .	0 6 0	2 2 6	Fortrose . . .	0 6 0	2 2 6	
Whithern . . .	0 1 0	0 7 1	Kintoir . . .	0 1 0	0 7 1	
Forfar . . .	0 6 0	2 2 6	Inverurie . . .	0 1 0	0 7 1	
Rothsay . . .	0 4 0	1 8 4	Inverarie . . .	0 1 0	0 7 1	
Nairn . . .	0 3 0	1 1 3	Week . . .	0 3 0	1 1 3	
Forres . . .	0 7 0	2 9 7	Kirkwall . . .	0 12 0	4 5 0	
Ruthglen . . .	0 5 0	1 15 5	Inverbervie . . .	0 1 0	0 7 1	
Northberwick . . .	0 1 0	0 7 1	Stranraer . . .	0 3 0	1 1 3	
Cullen . . .	0 2 0	0 14 2	Campbeltoun . . .	0 2 0	0 14 2	
Lauder . . .	0 5 0	1 15 5	Agent for unfree traders . . .	2 0 0	12 12 6	
Kilrenny . . .	0 2 0	0 14 2	£2 proportioned in second column	2 0 0	...	
Annan . . .	0 2 0	0 14 2				
Lochmaben . . .	0 1 0	0 7 1				
Sanquhar . . .	0 1 0	0 7 1				
Newgalloway . . .	0 1 0	0 7 1				
				£100 0 0	£240 0 0	

11 July 1718.

24. After reading of the minuts of the last days sederunt the commissioners for the burghs of Inverness and Fortrose protested against the heavy proportion of the tax roll laid upon their burghs and the continuation thereof for five years.

Protest by
Inverness and
Fortrose.

25. The committee to whom it was remitted to enquire into the progress made into the affaires of the royal burrows committed to Mr Patrick Campbell of Monzie reported that they had befor them several papers containing ane account of what past at London relating to the corn debentures, the table of fies and court of pleas, and the correspondence between the lord provost of Edinburgh and Mr Campbell on these heads, as also Mr Campbell waited on the committee, and the short state of these matters is this :—

Report anent
affaires com-
mitted to
Campbell of
Monzie.

Primo. As to the corn debentures there was no reasonable or proper oppertunity offered during the last session of parliament to put the corn debentures on any better foot then that on which they are at present, but that how soon the agreements in the Treaty of Union relating to the customes and excise of Scotland come to be explained, whether by a new act of parliament or otherways, then and no sooner will that affair of the corn debentures be brought to ane entire settlement, and tho

EDINBURGH.
11 July 1718.

Report anent
affaires com-
mitted to
Campbell of
Monzie.

possibly that may happen this ensuing session of parliament yet nothing can be affirmed with certainty about it.

Secundo. As to the table of fies, matters are so well understood and brought such a length that, immediately upon the siting down of the parliament, the burrows agent at London, upon moving that affair in the treasury, will it's believed obtain leave to lay the table of fies before the house of commons for their approbation.

Tertio. As to the court of pleas, that case, in so far as it appears usefull to the merchants of Scotland, appears to be sufficiently provided, at least it is so in the opinion of his Majesties attorney general.

Which being considered by the convention, they approved of the said report and appointed Mr William Hamilton, their agent at London, to prosecute the said affaires; and remitted to the committee that shall be appointed to sit after dissolving of this present convention to send instructions to him thereanent.

Agent's ac-
compts.

26. Report submitted by committee on the agent's accounts of intromission with the missive dues from July 1717 to July 1718. The discharge, amounting to £5,556, 9s., is made up of the following items, viz.:—Conservator, £600; Coupar, £120; Sir David Dalrymple, £333, 6s. 8d.; his servant, £60; the principal clerks, £600; their depute, £180; Thomas Scheill, £180; the agent, £600; his servant, £120; the burrow officer, £240; usher of exchequer, £60; keeper of the advocates bar, £29; macers of exchequer, £26, 13s. 4d.; macers of session, £26, 13s. 4d.; Madam Kennedy, £40; presenter of signatures and his servant, £71; Laurence Wallace, £40; “the gardener of Heriots yards for flowres,” £12; keeper of the burrow room, £15; door keeper in exchequer, £11, 12s.; another door keeper, £6; William Hamilton, agent at London, £300; Mr Campbell of Monzie, £1200; tavern bills, £160; incidents, £120; “printing some acts of parliament anent quartering of soldiers and dispatching the same to the royal burrows, as also ane circular letter recommending to them to write to their severall representatives in parliament to assist Monzie,” £60; annual rent on outlays, £164, 11s. 8d.; printing two missives and several other writings, £180.

Agent's ac-
compts, unfree
trade.

27. The committee reported that they had examined the agent's accounts of his intromissions, with the sums paid by unfree traders, and that there was due by the agent £1,112, 2s. 4d. Scots, and there being immediately due on account of deficiency of unfree trade £5,070 Scots, the convention appointed the agent to pay the same on receiving a discharge of all cess due by unfree traders to 25 March 1718, the agent being allowed one year's interest on the sum of £3957,

17s. 8d. to be advanced by him. The arrears due by the several burghs who had accepted the communication of trade amount to £8178, 11s. 8d. EDINBURGH.
11 July 1718.

28. Appointed a committee to sit after the dissolving of this convention and consider everything relating to trade, the unfree traders, the staple port and the conservator, and to adjust all differences amongst burghs. Committee.

29, The convention taking into their serious consideration that whereas by the thirty eight article of the standing staple contract, entred into betuixt them and the magistrats of the toun of Campvere for the term of 'twenty one years, dated at the Hague the twenty ninth of December j^m vj^c and ninty seven years, new styll, that by the said article it is stipulat and agreed that the royal burrows and toun of Campvere may prolong and continue the said contract after the expiration of the said twenty one years for what term of years longer they shall agree together ; and the convention considering of how great import and concern the continuation of the said staple contract for twenty one years longer, at the port of Campvere, will prove to the state of burrows and trade of this kingdom, and how necessar and expedient it is that some discreit and well qualified persone be employed to intreat with the magistrats of Campvere for that effect, and being fully persuaded of the integrity, abilities and other qualifications of Andrew Kennedy, esquire, his Majesties agent and consul in the Netherlands, and present conservator of the Scots priviledges, therefore by these presents granted full power and commission, express bidding, mandament and charge to the said Andrew Kennedy to execute and conclude a prolongation and continuance with the magistrats of Campvere of the said staple contract for the term of twenty one years longer after the expiration of the present contract. Commission
for prolonging
staple contract

30. The convention agreed to the following letter to be sent to the magistrats of Campvere :—Right honourable. In compliance with your letter to us of the twenty sixth of May for prolonging of the staple contract we have agreed to continue the same for the space of twenty one years, commencing from the twenty sixth of December next ensuing, with some few explanations which we hope will be acceptable. We have nominated and appointed Andrew Kennedy, esquire, conservator, our commissioner, and given him full powers and instructions to execut and Letter to
magistrats of
Campvere.

EDINBURGH.
11 July 1718.
Letter to
magistrats of
Campvere.

sign the prolongation for the said term of twenty one years. We do further assure your lordships of our hearty disposition to live at all times in the strictest friendship and amity with you, and of our sincere intention to have the staple contract strictly observed, as we doubt not of your performing of whatever is incumbent on your part; so, wishing your lordships and your toun all prosperity and happiness, we remain, right honourable, your very good friends. Signed in name and presence of the convention by William Neilson, [etc.] Edinburgh, 11th July 1718.

Anstruther,
Easter.

31. Granted warrant to the burgh of Anstruther Easter to sell an old house and stable belonging to the burgh and apply the price in repairing the minister's manse and public works.

Innerkeithing.

32. Remitted to the committee appointed by the 28th act to consider and report on a petition from the burgh of Innerkeithing complaining of some practises prejudicial to the interest of the burgh used by the burgh of Dumfermling.

12 July 1718.

Dundie.

33. The report from the visitors of Dundie being considered defective, the convention remitted to the burghs of St Andrews, Montrose and Coupar, "to consider the circumstances of the said burgh, both as to their commone good and two pennies upon the pint of ale, and bring in ane exact accompt thereof to the next annyal convention."

Disart, Kirk-
aldie, An-
struther
Wester.
Aberbrothock.

34. Appointed reports as to the burghs of Disart, Kirkaldie and Anstruther Wester to be a head of next annual missive.

Whithern.

35. Allowed to the burgh of Aberbrothock £15 sterling on account of reparation of their pier and harbour.

36. Appointed the burghs of Wigtown, Kirkudbright and Stranrawer, to visit and report their opinion on the condition of the burgh of Whithern and of their pier and harbour.

Irving, Ayr.

37. Remitted to the committee appointed by the 28th act, petitions from Irving and Ayr craving the benefit of the unfree traders in the adjacent districts.

Commissioner
to Campvere.

38. Allowed to Andrew Kennedy, conservator, £50 sterling in full of all he can claim as commissioner to Campvere for prolonging the staple contract.

Forbes, late
agent.

39. Appointed the agent to pay to Sir Robert Forbes, late agent, £10 sterling.

Exchequer.

40. Recommended the committee appointed by the 28th act to make

application to the barons of exchequer to get the particular fees of the royal burghs adjusted for fitting their eques. EDINBURGH.
12 July 1718.

41. "It being represented to the convention that there were some persons willing to take off a considerable part of the tax roll of the royal burrows upon their being assigned to a tack of the unfree trade for such a number of years as should be agreed upon, and to find undoubted security for payment thereof," they empowered the committee appointed by the 28th act to consider the proposal and make such agreements thereanent as they should judge to be most for the interest of the royal burghs. Unfree trade.

42. The commissioners for the burgh of Aberden represented that their being some cannon properly belonging to the toun of Aberden, which cost them a considerable sum of money, they were lately taken from them and sent to London or ells where, and the magistrats of the burgh having a receipt for the cannon craved the concurrence and assistance of the royal burrows either to get back their cannon or payment of the value thereof; which being considered by the convention they recommended to the committee that is appointed to sit after dissolving of this present convention to give their concurrence and assistance to the said burgh of Aberden to the effect forsaid, and likewise to other burghs in the like circumstances. Aberdeen,
cannon.

43. Appointed the agent to pay certain salaries and gratuities.

Salaries and
gratuities.
Convention
dissolved.

44. Dissolved the present meeting, and appointed next annual convention to be held at Edinburgh in July 1719.

MEETINGS OF COMMITTEE, *held at* EDINBURGH.

14 July 1718.

Edinburgh, John Wightman; Aberden, John Gordon; Glasgow, John Sederunt. Aird; Ayr, Robert Moor; Montrose, John Coutts; Inverness, James Dunbar; Irving, John Hamilton; Dumfermling, Robert Anderson; Dumbarton, Sir James Smollet; Tain, Generall Charles Ross; Lochmaben, Sir William Johnston; Sanquhar, Abraham Crichton; Newgalloway, John Hog.

1. John Wightman, dean of guild of Edinburgh, elected preses.

Preses.

2. Appointed the agent to give all due information to some persons who were willing to offer a considerable sum for an assignation to them of the unfree trade. Unfree trade.

EDINBURGH,
14 July 1718.
Instructions
given to the
conservator.

3. The committee considering that it was remitted to them to give to Andrew Kennedy, esquire, conservator, such instructions as they should judge necessary in order to prolong and continue the staple contract with the magistrats of the town of Campvere, they have agreed on the following articles as instructions which he is to observe in transacting the said affair.

(1.) That herrings cured in Scotland be added as a staple commodity and enjoy the same exemption of custome at the staple port in all respects as other staple commodities mentioned in the staple contract do.

(2.) That Scots salt be also added as a staple commodity in the same manner as herrings.

(3.) Whereas by the 23d article of the staple contract it is declared, in relation to the observance of the staple port, that all their goods shall be confiscated, it be so far explained by putting in the words "such goods" instead of these words "all their goods."

(4.) Whereas by the fifth article of the staple contract, anent any differences that shall happen betuixt Scots men and Dutch men, the same be so far rectified that when, upon occasion of any differences among merchants, arbitrators and ane umpire are chosen, the decision of the said arbitrators and umpire may be finall and decisive and their determination may not be subject to be reversed by any other judges for preventing of expences to all parties concerned.

(5.) That it be ane instruction to the conservator that he insist with the magistrats of Campvere to have removed any inconveniencies that the staple factors there lye under in relation to the entries of ships at the staple port, or of payment of any small dues to the custom house there, or whatever is in the magistrats power to redress that is not so clearly already settled whereby the trade of our nation may anyways suffer.

(6.) That the said Andrew Kennedy have power to oblige all the staple factors residing at the staple port to subscribe and renew such instructions in the conservator court books as they have been in use to do to the conservators his predecessors.

(7.) That the conservator enquire about the factors securities, and whether or not any of their cautioners be dead or faillied, and in that case to intimat to them that they are to supply the same against the next general convention.

(8.) That the conservator allow no persone to exerce as a factor that has not sufficient security entred in the burrow books, and that such persons be inhibited to receive consignations, and all the laws against them be put in execution by the conservator.

EDINBURGH.
14 July 1718.
Instructions
given to the
conservator.

(9.) And, lastly, that the conservator from time to time acquaint the lord provost of Edinburgh and this committee of his dilligence and progress therein.

4. The committe . . . doe heirby declare that albeit they have already agreed to nine several instructions, yet nevertheless this is to be a separate instruction to the said Andrew Kennedy that in case he cannot obtain all or any of the said nine instructions to be agreed to by the saids magistrats of the toun of Campvere, yet it shall noways hinder him from signing a prolongation of the staple contract with them in the terms mentioned in the commission granted to him for that effect.

Separat
instructions.

17 July 1718.

Edinburgh, John Wightman ; Ayr, Robert Moor ; Montrose, John Coutts ; Sederunt. Lochmaben, Sir William Johnston ; Newgalloway, John Hog ; George Irving for Sanquhar.

1. John Wightman, dean of guild of Edinburgh, elected preses.

Preses.

2. The instructions given to the deceased Sir Andrew Kennedy, conservator, and subscribed by him on 12 July 1690, were read in presence of Andrew Kennedy, present conservator, and agreed to him by him, and he signed this minute.

Conservator.

3. George Smollet, agent, reported that he had discoursed with Patrick Campbell, merchant, and given him all information he was capable of anent the unfree trade.

Patrick Camp-
bell, unfree
trade.

4. The dean of guild of Edinburgh "also reported that Mr Carmichael had been with him this morning, who told he would not engage in that matter, whereupon the committe ordered the burrow officer to go to the door and call if there were any persons there to offer for the unfree trade, and the officer having gone to the door and returned he reported that he had called three times but nobody was there attending."

Unfree trade.

22 July 1718.

Edinburgh, John Wightman and Patrick Turnbull ; Ayr, Robert Moor ; Sederunt.

EDINBURGH.
22 July 1718.

Preses.

Act anent
unfree traders

Montrose, John Coutts; Lochmaben, Sir William Johnston; Irving, John Hamilton; Dumbarton, Sir James Smollet; Sanquhar, George Irving.

1. William Neilson, lord provost of Edinburgh, elected preses.

2. Referring to the 28th act of last general convention the committee appointed their agent to write to the several royal burghs to send in before 1st November next lists of the unfree traders within their respective districts with the particular condition of their trade; to intimate to them that the staple contract is prolonged and require them to observe the same, and to desire them to give notice to the burghs of barony and regality within their bounds that the unfree trade of each shire will be exposed to public roup in November next and the highest offerer preferred. The agent was also instructed to write to the unfree traders who have accepted the communication of trade asking them to attend in November next when the particular circumstances of their trade will be considered and their proportions of the tax roll altered as may be required.

25 September 1718.

Sederunt.

Edinburgh, John Wightman; Irving, John Hamilton; Sanquhar, George Irving; Newgalloway, John Hog.

Preses.

1. William Neilson, lord provost of Edinburgh, elected preses.

Representation
by merchants,
letter to Sir
David Dal-
rymple.

2. The lord provost of Edinburgh laid before the committee ane representation signed by severall merchants of this kingdom, directed to his lordship, craving the assistance of the royal burrows for removing the inconveniences and hardships the trade of the kingdom lye under, both as to export of their herrings and corn, and intreating his lordship and the committees kind offices and assistance in recommending Mr Savage and the business itself to such as might be of use, as the representation, dated at Crail the twenty fifth day of August last j^m vij^c and eighteen years, more fully bears. Which being read and considered be the committee, they in compliance with the desire of the merchants agreed to the draught of a letter to be sent to the right honourable Sir David Dalrymple, his Majesties advocat, and Mr Baillie of Jeriswood, one of the lords of his Majesties treasury, to be signed be the lord provost of Edinburgh, their preses, the tennor whereof followes:—My Lord. The royal burrows in their annual convention July last were informed that the payment of debentures for fishes and corns have been for sometime stopt, and considering such stops are a very great discouragement to trade and

consequently a national prejudice, I am ordered earnestly to beg your lordships countenance and assistance for forwarding and procuring punctual payment for the future. Mr Hamilton, solicitor to the burrows, or Mr Richard Savage, are to wait upon your lordship and to trouble you with a full memorial thereanent. I am, with the greatest respect, my lord, [&c.]

EDINBURGH.
25 September
1718.

18 November 1718.

Edinburgh, James Cleland and John Lauder; Stirling, (*blank*); Linlithgow, John Andrew; Hadingtoun, Mr James Dods; Irving, John Hamilton; Dumbarton, Sir James Smollet; Renfrew, Mr John Cochran; Whithern, Mr John M'Govan; Northberwick, Sir Robert Dalrymple; Sanquhar, George Irving; Newgalloway, John Hog.

1. William Neilson, lord provost of Edinburgh, elected preses. Preses elected.
2. In pursuance of the 21st act of last general convention the committee remitted to the commissioners of Dumbarton and North Berwick to prepare reasons to be offered to parliament for obtaining the burgh of Dumbarton as a port for importing wool from Ireland. Port for wool from Ireland.
3. The committee appointed the agent to lay before them the list of unfree traders to be considered. Unfree traders.

20 November 1718.

4. The committee agreed to the draught of a memorial for opening a port in Scotland for importing wool from Ireland, to be transmitted to Mr William Hamilton, their agent at London, in order to be laid before the parliament, but in regard the committee left it to the said Mr Hamilton to add or alter as he shall see convenient they supersede the recording thereof untill the said memoriall return from London with amendments if any be, and appointed the said memorial to be transmitted to Mr Hamilton with a letter from the lord provost of Edinburgh their preses. Memorial as to importing wool.

5. The committee being informed that Mr Savage is employed by several merchants in North Britain to procure a table of *fies* payable to the officers of the customs they do recomend to Mr William Hamilton, burrow agent at London, to concurr with the said Mr Savage in order to finish and perfect the said affair. Customs *fies*.

EDINBURGH.
20 November
1718.

Debentures on
fish and corn.

Master of
conserjory
house at
Campvere.

6. Appointed a sub-committee to prepare the draught of a letter to Mr William Hamilton, agent at London, directing him "to use his utmost dilligence to procure from the parliament payment of the debentures upon fish and corn due to the subjects of North Britain."

7. The committee, anent a petition given in be George Cruckshanks, junior, merchant in Rotterdam, shewing that the Scots house at Campvere being vaccant by the relict of John Gordon her leaving the same and marying another husband, and the said house being at the disposal of the royal burrows, and the petitioner being well affected to his Majestie and government and fit for the said post, as is attested by several merchants and other persons of good repute in Edinburgh conforme to a testificat produced, therefore craving the honourable committee would preferr him to the said post, as the petition bears. Which being considered by the committee they did nominat, apppoint, constitute and ordain the said George Cruckshanks to be master of the conserjory house at Campvere during pleasure, and allowed to him all the freedoms, profits, casualities and emoluments appertaining and belonging to the said office or that hath been enjoyed by his predecessors masters of the said conserjory house, he always obeying the rules and instructions appointed or that shall be appointed by the royal burrows; and ordains the conservator to admitt and receive the said George Cruckshanks in the said office and administrat the oaths to him; and William Robertson, one of the under clerks of session, becomes acted and obliged as cautioner for the said George Cruckshanks.

Unfreetraders.

8. Remitted to a committee consideration of the list of unfree traders sent up by the several burghs to the agent, to be prepared for the grand committee.

25 November 1718.

Fish and corn
debentures.

9. The sub-committee appointed by the 6th act reported that the matter was already determined by minute dated 25th September, and the committee directed the agent to transmit to Mr Hamilton a copy of the minute, "and that he act according thereto and no otherwayes."

Staple con-
tract.

10. The committee in relation to the letter written be Mr Andrew Kennedy, conservator to them, touching the instructions given to the said Mr Andrew by the convention, recomend to the lord provost and dean of

gild of Edinburgh to meet with some of the merchants of this city and lay before them the said Mr Andrew his instructions, to the end they may furnish the committee with sufficient reasons and arguments for obtaining the rectifications and additions made to the staple contract by the last convention, and for removing any objections or difficulties made by the states of Campvere in the said matters, and report to the committee.

EDINBURGH,
25 November
1718.

11. The committee, considering that James Bunkle, sometime baillie in Linlithgow, has represented the said burgh in the royal burrows and been a considerable trader, but is now in mean and low circumstances by losses at sea and otherways, they do therefore recomend him to the next annual convention for such a supply as they shall see meet.

James Bunkle,
Linlithgow.

12. The committee considering that the affair of the unfree trade remitted to them by the last convention is intirely obstructed by the unfrequent meeting of the committee, and that the few members who have come up have attended for several days, do therefore appoint Mr George Smollet, their agent, to acquaint each member of the said committee by a letter to come up to Edinburgh upon the first Tuesday of February next to deliberat upon the affair of the unfree trade, under pain of being delated to the next convention as obstructers of the affaires of the burrows over and above the payment of the penalties imposed by acts of convention upon absents; and each member of the said committee is to bring with him a list of the unfree traders within the bounds of his burgh if the same be not already done, and for preventing of trouble to subsequent conventions to be fully empowered to take the unfree trade within their respective bounds at such rates as they and the committee shall agree. Moreover the committee recommends to their agent to writ to the haill other burrows who are not members of the said committee to send up persons to the forsaid meeting to make offers for the unfree trade within their bounds that some progress may be made at length in the said affair.

Unfree trade.

10 December 1718.

Edinburgh, James Clelland; Linlithgow, Dumbarton, Irving, Whithern, Sederunt. Sanquhar and Newgalloway, (same representatives as at last meeting. *Supra* p. 205).

EDINBURGH.
10 December
1718.

Preses.

Port for
importation
of wool from
Ireland.

1. William Neilson, lord provost of Edinburgh, elected preses.

2. The committee considering that it was recomended to them by the last generall conventione to make application to the parliament for opening a port in this part of the United Kingdom for the importation of wool from Ireland for the benefite and encouragement of our woollen manufactories, appointed a petition to be given in to the honourable house of commons thereanent, the tennor whereof followes: To the honourable the commons of Great Britain in parliament assembled. The humble petition of the royal burrows of North Britain sheweth—That the woollen manufactory in Scotland, which is a great branch of their trade, is of very great advantage to the subjects of that part of the United Kingdom, and being improved will considerably increase the woollen manufactory of Great Britain. That your petitioners apprehend nothing can contribute more to the improvement of that valuable branch of trade then the opening a port in Scotland for the importation of wool from Ireland, for by that means there would be a greater variety of sortments of wool, which is very much wanting at present and without which it is impossible to bring the manufactory of wool to perfection. That the port of Liverpool is the nearest port to Scotland open for the importation of wool from Ireland, which being at so great distance it is impracticable to transport wool from thence without a very great charge, and is extreemly discourageing to the improvement of the wool manufactory. That the toun of Dumbarton, situated upon the mouth of the river of Clyde, and upon the western cost of Scotland, opposit to Ireland, is in your petitioners apprehension the most proper port for that purpose. Your petitioners therefore humbly pray that leave may be given to bring in a bill to open the said port of Dumbarton, or such other port in the west of Scotland as to your honours shall seem meet, for the importation of wool from Ireland into Scotland. And your petitioners shall ever pray. Signed at Edinburgh the eleventh day of December 1718. . . . And ordains the said petition to be transmitted to Mr William Hamilton, their agent at London, to be negotiat by him before the parliament.

Fisherie
company.

3. The committee being informed there is application made to the privy council for procuring a patent for erecting a generall fisherie company of Great Britain, they recomend to Mr William Hamilton, their

agent at London, to endeavour to procure a copy of the said petition, and to advise with Sir David Dalrymple, their assessor, how far the said patent if granted may be prejudicial to the privileges of the royal burrows and what may be proper for them to do therein, and to transmit a copy thereof to the lord provost of Edinburgh, with Sir David's opinion thereanent, to be laid before the committee.

EDINBURGH.
10 December
1718.

24 January 1719.

Edinburgh, John Wightman ; Irving, John Hamilton ; Dumbarton, Sir Sederunt. James Smollet ; Renfrew, Mr John Cochran ; Dunbar, William Faa ; Whithern, Mr John M'Govan ; Northberwick, Sir Robert Dalrymple ; Sanquhar, George Irving ; Newgalloway, John Hog.

1. William Neilson, lord provost of Edinburgh, elected preses.

Preses.

2. The royal burrows taking into their consideration ane representation made to them by the merchants of this city, for themselves and in name and behalf of all the other trading people in Scotland, shewing that there is a designe of bringing in a bill to the parliament for reducing the premium established by law upon fishes exported to a lesser sum ; and the burrows considering that the fishing is the most valuable branch of our trade, and which would be very much discouraged were any alteration made as to the drawbacks allowed by law, the burrows do therefore empower and appoint George Drummond, merchant in Edinburgh, and Robert Wightman, merchant there, in their name and behalf, to negotiate the said affair at London ; with power to them to make what applications they shall judge necessary for preventing any alteration that is intended on the drawbacks now payable upon fishes, [and to petition the parliament, privy council, or treasury if necessary].

Drawbacks on
fishes.

3. The committee appointed their preses to writ to the severall members of parliament representing the shires and burrows, the tenor of which letter follows :—Edinburgh, 24 January 1719. Sir,—The merchants concerned in the importation of forreign salt and curing of fish having applyed to us by a memorial representing that they are informed that a bill is preparing to be brought into the house in relation to that branch of trade, and that they have come to a resolutione to send some of their number to London to attend while that affair is in agitation.

Letter to
members of
parliament.

EDINBURGH.
24 January
1719.

Letter to
members of
parliament.

The preventing from any detriment from such a bill to our fishing is the last consequence to the state of this country. We, therefore, could not forbear to give them our countenance in so nationall and laudable a designe, and therefore pray you will favour them with your intrest and assistance, which will be very obliging to, Sir, your most humble servant. Signed [&c.].

3 February 1719.

Sederunt.

Edinburgh, James Clelland ; Perth, Robert Robertson ; Aberden, John Deans ; Stirling, (*blank*) Gillespie ; Linlithgow, John Andrew ; Hadingtoun, Mr James Dods ; Montrose, Alexander Arbuthnot ; Irving, William M'Taggart ; Pittenueem, Mr Robert Clelland ; Dunfermling, Mr John Walker ; Dumbarton, Sir James Smollet ; Renfrew, Mr John Cochran ; Whithern, Mr John M'Govan ; Northberwick, Sir Robert Dalrymple ; Cullen, Mr John Philp ; Sanquhar, George Irving ; Newgallaway, John Hog.

Preses.

1. William Neilson, lord provost of Edinburgh, elected preses.

Unfree traders.

2. The committee is to meet tomorrow to examine lists of unfree traders with acts of parliament empowering the burghs to tax them, and to consider how far the tax may be made effectual in order to encourage persons to offer therefor, and if the unfree traders who have accepted of the communication of trade may renounce the privilege so as to exempt them from payment of any proportion of the tax roll without consent of the burghs.

4 February 1719.

Unfree traders.

3. The committee having considered the lists and acts referred to in the foregoing act, resolved to take to consideration such offers as shall be made for the communication of trade to the burghs of barony and regality and other unfree traders by any persons whatever, and appointed any proposals to be given in tomorrow.

7 February 1719.

Offer for
unfree trade.

4. Having received from John Dickson an offer of "three pounds Scots for the unfree trade of the kingdom of Scotland," the committee agreed to take it into consideration after ascertaining the particular quotas of unfree traders accepting the communication of trade.

8 February 1719.

Quotas of
unfree trade.

5. The committee, as the result of their negotiations, ascertained "the particular proportions of such burghs of barrony and regality and other unfree

traders as have formerly agreed for the communication of trade with the royal burrows, as follows":—

EDINBURGH.
8 February
1719.
Quotas of
unfree trade.

Eymouth, heightened from 7d. to 2s. ; Duncce, heightened from 8d. to 1s. ; Caldstream, heightened from 3d. to 6d. ; Doun, continued at 6d. ; Linktoun of Kirkaldie, heightened from 6d. to 1s. ; Dinnikeir, heightened from 1d. to 6d. ; Leven, heightened from 8d. to 1s. ; Ellie, heightened from 1s. to 1s. 6d. ; Keith, diminished from 9d. to 6d. ; Dalkeith, heightened from 2s. to 3s. ; Prestonpanns, heightened from 5s. to 7s. ; Borrowstounness, heightened from 6s. to 8s. ; Saltcotts, heightened from 1s. 6d. to 3s. ; Kilmarnock, continued at 2s. ; Killimuir, continued at 2s. ; Greenock, continued at 5s. ; Weemyss, continued at 1s. ; Allaway, heightened from 2s. to 3s. ; Old Meldrum, continued at 9d. ; Turriff, continued at 7d. ; Frazersburgh, continued at 2s. ; Kelso, continued at 2s. ; St Ninians and Pomee's other lands, 6d. ; Portsoy, continued at 9d. ; Kilwinning, continued at 6d. ; Stonhive, augmented from 10d. to 1s. 6d. ; Peterhead, augmented from 1s. 1d. to 1s. 6d. ; Falkirk, continued at 2s. ; Airth, continued at 6d. Summa, £2, 15s. 1d.

These quotas were to take effect "from July last, from which time the said tax of the royal burrows did likewise commence, and they are hereby ordered to pay in their cess and missive dues to Mr George Smollet, agent to the royal burrows, accordingly."

6. Appointed the agent to do his utmost to recover the arrears due by the burghs of barony and regality and other unfree traders. Arrears.

7. Granted warrant to the agent to agree with the unfree traders within the town of Cockeany and Portsetoun at 2s. of the tax roll for the communication of trade. Cockeany and
Portsetoun.

8. Appointed the agent to pursue the unfree traders who had not agreed for the communication of trade. Unfree traders.

11 February 1719.

9. The committee agreed to report John Dickson's offer for the unfree trade to next annual convention, and to consult lawyers how far it may be proper or legal to enter into a contract with him or others. Offer for
unfree trade.

GENERAL CONVENTION, *held at* EDINBURGH.

Edinburgh, James Clelland and John Lauder ; Perth, William Fergusson ; Dundie, James Fairweather ; Aberdeen, George Fordice ; Stirling, Patrick Gillespie ; Linlithgow, Thomas Ronald ; St Andrews, Patrick Halden ; Glasgow, John Aird ; Air, Robert Moor ; Hadingtoun, Richard Miller ; Disart, James

EDINBURGH.
7 July 1719.
Sederunt.

EDINBURGH. Abercrombie; Couper, William Rig; Anstruther Easter, John Low; Dumfreis,
 7 July James Corrie; Inverness, Thomas Alves; Innerkeithing, Francis Henderson;
 1719. Kinghorn, Robert Bruce; Brechin, John Doig; Jedburgh, Robert Richardson;
 Sederunt. Pittenueem, William Bell; Dunfermling, Mr John Walker; Selkirk, William
 Chisholm; Dumbarton, Sir James Smollet; Renfrew, Mr John Cochran; Dun-
 bar, William Faa; Lanerk, William Inglis; Aberbrothock, William Wallace;
 Elgin, James Innes; Peebles, Robert Forrester; Crail, John Lumsden; Culross,
 John Halkerston; Banf, Mr Andrew Hay; Whithern, John M'Govan; Ruthglen,
 George Spence; Northberwick, Sir Robert Dalrymple; Cullen, Mr John Philp;
 Lauder, Alexander Thomson; Lochmaben, Sir William Johnston; Sanquhar,
 John Crichton; Newgalloway, John Hog; Queensferry, George Hill; (twenty-
 five burghs *blank*).

7 July 1719.

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| Preses. | 1. William Neilson, lord provost of Edinburgh, elected preses. |
| Commissions. | 2. Appointed a committee to revise the commissions. |

8 July 1719.

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|----------------------------|---|
| Commissions
approved. | 3. On report of the committee, the convention approved of all the com-
missions, except that of Anstruther Wester which they rejected as it was not in
terms of the platform. |
| Members
qualified. | 4. Approved of commissions from five other burghs. Members qualified,
by taking the oath of allegiance and abjuration and subscribing the same with
the assurance. |
| Montross,
Kilrany. | 5. The convention refused to accept excuses for absence of (1) the burgh of
Montrose, "aluding they had been so much taken up with examining of riots
that they could not attend the service of the convention," and (2) the burgh of
Kilrenny, "in regard of their mein circumstances and incapacity to send up a
commissioner." |
| Missive, salt. | 6. Remitted to a committee to consider the general missive, and a memorial
anent salt from the commissioner of Inverness. |
| Procedure of
committee. | 7. Having heard read the whole procedure of the committee appointed by
last convention, they remitted the farther consideration thereof to a committee. |
| Missive dues. | 8. Appointed the agent to give in a list of burghs deficient in payment of
their missive dues. |

9 July 1719.

- | | |
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| Heads of
general mis-
sive. | 9. Ordained certain articles to be heads of next missive, and others "to be |
|-----------------------------------|---|

expunged, in respect ther has been no reports brought in to the convention thereanent.”

EDINBURGH.
9 July 1719.

10. The commissioner for Anstruther Easter having reported that, as authorised by the 31st act of last general convention, the house and stable therein mentioned were sold and the price applied as directed, the convention ratified the sale.

Anstruther
Easter.

11. The committee reported that George Drummond, present treasurer, and Robert Wightman, late treasurer, of Edinburgh, who had been sent to London to prevent any alteration of the drawbacks upon fishes, “had been very exact in discharging the trust reposed in them, and had brought the affair to the best issue they possibly could, as appeared by the bill past in parliament,” and had expended £276, 10s. 6d. sterling in pursuance of that matter. The convention ordered payment of that sum, and “appointed their thanks to be given to the said George Drummond and Robert Wightman for their good service done to their countrey in the said affair intrusted to them by the committee, and they being called in, the lord provost of Edinburgh, preses of the convention, gave the conventions thanks to them accordingly.”

Drummond
and Wight-
man, draw-
backs,
£276, 10s. 6d.

12. Commissions from four burghs presented and approved of.

Commissions
approven.

13. Remitted to a committee to consider and report on “a letter from the commissioners of plantations and trade to the lord provost of Edinburgh, with a contract revised and enlarged betuixt his Britanick Majestie and the city of Hamburgh.”

Commissioners
of plantation
and trade.

14. Appointed a committee to visit Crail and report on the condition of Crail their harbour.

15. Appointed the agent to concur with the magistrates of Kilmarnock “in a plea they are engaged in with the mechanicks and tradesmen who refuse to pay their share of the quota of the tax roll payable for the communication of trade.”

Kilmarnock.

16. The convention ratified and approved a gift of the clerkship granted by the toun of Dumbarton in favour of James Duncanson of Garshake. The gift, which is dated 30 September 1717, bears that “the provost, baillies and council, accompanied with the hail deacons of trades of the said burgh, taking to their serious consideration the fidelity, assiduity, dilligence and integrity of James Duncanson of Garshake, late baillie, in all the publick and commune affaires and concerns of this burgh, and the sufficient proof, experience and sense they have of his qualifications and abilities for the office of commune clerk of the said burgh, inrespect wherof the council find themselves obliged to put also great marks of their respect upon him as has been put upon other clerks by several burghs of the kingdom; therefore, and in regard they find it will be of considerable and singular importance for the commune well of this burgh and the good of the publick effaires therof that the said James Duncanson be continued

Dumbarton,
clerk.

EDINBURGH. 9 July 1719. in the office of clerkship during all the days of his lifetime, the saidis provost, bailies, council and deacons of crafts" elected and nominated him to be common clerk of the burgh, with full power to exercise the duties and uplift the fees, to appoint deutes to act during his absence, for whom he shall be responsible, but he being "obliged to be present to officiat as clerk in all meetings and committees of the council as oft and sua oft as they shall have occasion to meet upon the touns affaires."

Accompts. 17. The agent produced his accounts, which were ordered to lie on the table.

Alerdes, factor. 18. Anent petition of John Alerdes, factor at Campvere, shewing that he designs to give up his commission, and craving that the resignation be accepted and his cautioners discharged, the convention appointed intimation to be made by next general missive that all concerned may be duly advertised before the desire of the petition is granted.

Dunbar. 19. The convention added Dunbar to the committee anent commissions.

10 July 1719.

Contract between royal burrows and Campvere. 20. The convention ratified and approved the contract of amplification and continuation of the former staple contract for twenty one years, and appointed the same to be recorded after the acts of this convention.

Agents accmpts. 21. Remitted to a committee the agents accounts and also a petition from Mr William Hamilton, agent at London.

13 July 1719.

Aberbrothock. 22. Remitted to a committee complaint by Thomas Wallace, merchant in Aberbrothock, against the magistrates of that burgh for laying on an imposition on coals and slates.

Dundie. 23. On petition by Dundee representing the ruinous condition of their harbour, bulwarks, steeple and tolbooth, the convention appointed the condition and circumstances of the burgh to be a head of next missive.

Lanark. 24. Remitted to a committee to endeavour to accommodate the differences between the burgh of Lanark and the justices of the shire.

Keeper of conserjory house. 25. On a complaint against George Cruikshanks, keeper of the conserjory house at Campvere, the convention appointed him "to demean himself with all the duty and respect in that station to the conservator as any other keeper of the conserjory house hath done to his predecessors."

Officers of army, coal and candle. 26. The convention anent ane complaint made by severall of their members that the officers of the army refuse to pay for their roomes

(except in the suburbs of Edinburgh) and that no allowances are granted to them for coal and candle furnished to guards in the severall touns, appoint their agent to apply to the parliament both for obtaining payment from the officers for their roomes and also for ane allowance to be made for coal and candle furnished to the guards in the rest of the burrows.

EDINBURGH.
13 July 1719.

27. The convention, taking to their consideration how much it may tend to the honour and advantage of the nation in general, as well as to the intrest of particular traders or merchants, that all due and effectual care may be taken of that valuable branch of our trade the herring fishing; and the lord provost of Edinburgh, their preses, having communicated to them severall letters from the lords commissioners for trade, signed by their secretary, Mr Popple, signifying that his Majestie had entred into a contract with the senators of the city of Hamburgh, whereby he obtained the same priviledges for herrings imported from Great Britain that the Dutch doe enjoy, a copy of which contract was also transmitted to the convention, recommending that all effectuall means may be used to have our herrings sufficiently and exactly cured; and former experience of the reputation our herrings had gained in forreign markets in time of our Royal Fisherie Company having made it evident that our herring when duly cured were in greater demand abroad than even those cured by the Dutch themselves, the convention did therefor most earnestly recomend to all the royal burrows who have any particular dealing in that trade that all due and effectual care may be taken to have their herring sufficiently cured, and that all exactness may be observed both as to the manner of curing and packing the herrings, the quantity and sufficiency of the cask, according to the directions of the acts of parliament relative thereto; and the convention appointed copies of the saids acts of parliament to be transmitted to the severall royal burrows; and that these acts may be the more effectually observed the convention ordain each burgh to appoint persons of sufficient skill and undoubted knowledge and honesty, for whom they shall be answerable to the convention, to oversee and inspect the sufficiency of the curing, packing and cask, and report their dilligence therein to the next general convention with the persons names so appointed by them, declareing hereby that in case there shall be

Act anent
packing and
curing of
herring.

EDINBURGH.
13 July 1719.
Act anent
packing and
curing of
herring.

any complaints made to the convention either from Hamburg or other foreign ports of the insufficiency of any of the said particulars, and the same duely made appear, that the persons who shall be found guilty shall be proceeded against with the uttmost severity, and the burgh of which they shall be found to be burgesses and inhabitants shall be fyned and amerciat in such a manner as the convention shall find just. And the convention appointed their agent to cause print the saids acts of parliament, as also the act made in the last session of this current parliament in relation to drawbacks upon fish, and transmitt the same with an extract hereof to the severall royal burrows concerned ; and the convention recomended to the several royal burrows to make intimation of this present act to such burghs of barony and regality and other unfree traders as are within their particular districts ; and this to be a head of the next annual missive.

Letter to lords
commissioners
of trade and
plantations.

28. The convention, upon report of the committee agreed to the draught of a letter from the convention to the lords commissioners of trade and plantations . . . the tennor whereof followes :—My Lords,—Wee offer your lordships our hearty thanks for the favour of causing to be laid before us the contract betueen his Majestie and the city of Hamburg concerning the herring trade which the lord provost of Edinburgh presented to us, according to your lordships desire communicat to him by Mr Popple. We are very much satisfied with the articles of the contract and hope the care which we see by it is to be taken in reviewing the herrings at Hamburg will considerably increase the exactness of our traders in herring in packing and curing of them ; and that nothing may be wanting on our part to promote the advantages aimed at by your lordships in the herring trade, we have directed our orders and instructions to the magistrates of our several burghs for the due execution of the law relating to the salting and curing of the herrings, and we hope by your lordships assistance and support in a short time to bring them to such effect as will greatly advance that valuable branch of our trade. We crave leave to mention to your lordships that the only difficulty we find in making the laws effectual is that the prosecutions against those who shall fail in curing and packing herrings as they ought to be (if it be not discovered before exportation which is commonly the case) must be

founded on a legal proof by affidavits taken before judges at forreigne ports where the fault is discovered, which we seldom can obtain ; but we humbly hope that if your lordships shall be pleased to desire it of his Majesties resident at Hamburgh he may, by means of wrackers of herrings to be imported there, be enabled to transmitt to your lordships, or directly to us, affidavits to be made at Hamburgh of the ships and proprietars of herrings which shall there be discovered to be unsufficient, and we shall use our best endeavours to make the proper use of them here for advantage of that trade ; and for the more exact obtaining of such accounts we are humbly of opinion that it were not improper for his Majesties resident to be impowered to appoint, at least for some time, such ane overseer of these wrackers as he mentions to the Earle of Stenhope in his letter from Hamburgh of the seventh of March, new style, 1719. As to allowances to be given to such wrackers and overseers we shall be very farr from grudging what your lordships and his Majesties resident shall think proper, being very well assured from the care we see your lordships and he has for the improvement of that trade that nothing will be agreed to that way which will be ane unreasonable burden on it. We hope your lordships will pardon our giving you the trouble of this long letter, and allow us for the future to lay before your lordships such representations of the state of trade in this country and of its severall branches as will be necessary to give your lordships a full and clear view of them that we may obtain the benefite of your lordships assistance in procuring the necessary laws for the improvement of trade amongst us. We have appointed the lord provost of Edinburgh, president of our convention of burrows, to subscribe this our letter, and do assure your lordships that we are, with the greatest respect, my lords, &c.

EDINBURGH.
13 July 1719.
Letter to lords
commissioners
of trade and
plantations.

29. The committee appointed to revise the agent's accounts of his intromissions with the missive dues and unfree trade submitted their report. The missive dues included in the charge amounted to £7000, and the payments in the discharge amounted to £4712, 1s. In the account for unfree trade there are received from Kilwinning £72, Kilmarnock £144, and Greenock £540, all in part payment, and the sums paid for cess amounted to £3600. There is left a balance of £1896, 17s. 8d. due to the agent.

Agent's
accounts.

EDINBURGH.
13 July 1719.
Proceedings of
committee
approved.
Staple con-
tract.
Whithern.

Metsters at
staple port,
Coupar, Dum-
fermling.

St Andrews,
overtures as
to trade.

Overture,
electing
members of
parliament.

Overtures for
encourage-
ment of trade.

30. On report by the committee appointed by the 7th act the convention approved of the whole proceedings of the committee appointed to sit after the dissolving of last convention.

31. The convention earnestly recommended to the trading merchants to be careful to observe the staple contract continued with Campvere.

32. Agreed to consider at next annual convention report as to the condition of the burgh of Whithern and of their pier and harbour.

33. Remitted to the committee appointed to sit after dissolving of this convention (1) petition from Robert Panton as to metsters at the staple port, (2) petition by Coupar in relation to their rights and privileges, and (3) petition by Dumfermling as to bonds given by merchants to the custom house for wool transported by water.

34. Remitted to the same committee overture by the burgh of St Andrews in relation to the £2,000 sterling per annum given by parliament for the encouragement of trade, with power to them to receive what other overtures may be given in to them for encouragement of trade and manufactures of the nation.

35. Remitted to the same committee overture in relation to the manner of electing members of parliament to represent the royal burghs in time coming; and appointed copies to be transmitted to all the burghs with the overture by St Andrews mentioned in the preceding act.

36. Remitted to the consideration of the [same committee how far it may be necessary to call a general convention to consider overtures for the encouragement of trade]; as also to consider what may be the most effectually method to get relief of the ten pounds of the unfree trade, and that it be recommended in any missive that may be sent to the royal burrows for that effect to send up their commissioners fully instructed whither it be most adviseable that the royal burrows of each shire take the proportionall part of the unfree trade within their particular districts, or if the royall burrows will proportion the fourty shilling of the tax roll yet remaining, conforme to the present proportion of the nynty eight pounds, and allow their agent to receive and apply what is at present proportioned amongst the burghs of barrony and regality and other the unfree traders for the communication towards payment of the missive dues, or applye to the parliament for some more effectually relief from the said unfree traders.

14 July 1719.

37. Recommended to the same committee "to endeavour to procure convoyes for our trade, east and west seas, to the Baltic." EDINBURGH.
14 July 1719.
38. Appointed the agent to pay to James Smith, late bailie of St Andrews, and James Bunkle, late bailie of Linlithgow, £6 sterling each, and to Sir Robert Forbes, late agent, £10 sterling, all for "present supply." Convoyes.
Payments.
39. Remitted to the committee which is to sit after dissolving this convention a petition from the town of Prestonpans desiring that Cockeany may be joined with them. Prestonpans,
Cockeany.
40. Appointed a committee to sit after dissolving of this convention to consider what shall be remitted to them and everything relating to trade, the unfree traders, the staple port and the conservator. Committee.
41. Appointed the agent to pay certain salaries and gratuities. Salaries and
gratuities.
42. Unlawed the absent burghs in £100 Scots each. Absents.
43. Dissolved the present meeting and appointed next general convention to be held at Edinburgh in July 1720. Convention
dissolved.

24 December 1719.

Followes the contract of amplification and continuation of the former staple contract, appointed to be recorded by the 20th act of the preceding convention. Amplification
and continua-
tion of staple
contract.

Additional articles of amplification and prolongation of the staple contract, translated into English.

Forasmuch as the present staple contract betuixt the royal burrows of Scotland on the one side and the magistrats of the toun of Campvere on the other side, made and concluded the 25th December 1697, N. S., for the term of twenty one years does expyre the 25th December, N. S., this present year; and the saids royal burrows and magistrats of the said toun of Campvere finding that, by a salutary clause in the 38 article of the said present staple contract, it was agreed and stipulat by them that after the termination of the said 21 years the saids royal burrows and magistrats of the said toun should have power to continue and prolong the said staple contract for what term of years longer they should agree together, therefore to confirme, preserve and maintain the good intelligence that has so long continued betuixt the said royal burrows and magistrats of the said toun, whereby the subjects of Scotland and

EDINBURGH.
July 1719.

Amplification
and continua-
tion of staple
contract.

inhabitants of this toun have by their commerce and navigation mutually so much profited, and for continuing the same and bringing it to a happy conclusion the royal burrows of Scotland have thought fitt to commission and deput Andrew Kennedy, esquire, agent and consull of his Majestie of Great Britain, and conservator of the Scots priviledges of the Netherlands, their commissioner and deputy for that end within the toun of Campvere; and in like manner the magistrats of the said toun have for the same end commissioned and deputed Mr Hendrick Haak-Kerman, councillor and first burgomeester, Mr Gerrard D. Maaregnault, councillor and second burgomeester, Mr Adrian Verhelst councillor and old burgomeester, and Mr John Maaregnault, councillor and pensionary of the said toun; which deputies are respectively furnished with full powers, the copies of which are as followes :—

Commissions.

[Here follows commission to Andrew Kennedy contained in the 29th act of convention, dated 11 July 1718, and also commission by the magistrats of Campvere to the deputies above-mentioned.]

And accordingly both parties by vertue of their respective commissions befor insert, having had severall conferences together within this toun of Campvere in name of the royall burrows and magistrats of this toun, have lastly agreed on the following articles :—

Articles agreed
upon.

1. That the present staple contract and articles of ampliacion thereof, of the date the 25th December 1697, N. S., made betuixt the royal burrows of Scotland and the magistrats of the toun of Campvere on the ane and other sides shall continue for 21 years in all points in its full force without the least alteration according as it stands settled, except only in so far as by these articles of prolongation and continuation it shall be explained or altered.

Contract con-
tinued 21
years.

Scots ships,
payment of
dues.

2. That all Scots ships belonging alenerly to those of the Scots nation and coming from Scotland here to the staple port to liver shall enjoy freedom and exemption of the paught of all vivers here and at their departure, and with respect to the toun's last money, the paying the same shall be regulat in such ane easie manner as those of the Scots nation shall have reason to be contented with.

Merchandise
seized by
custom house.

3. Wherever it shall happen that any merchandise belonging to those of the Scots nation transported from this to Holland and there

seized by the custome house, in that case the magistrats of this toun of EDINBURGH.
July 1719.
Vere oblige themselves to use their utmost endeavours and good offices to Merchandize
seized by
custom house.
reclaim the said goods and get them restored to the owners in the same manner as they would or can do for the inhabitants of their own toun.

4. Concerning the allowing salt made in Scotland to be a staple Salt.
commodity and enjoying the freedom of custome, &c., in the same manner as those mentioned in the 3d article of the staple contract do, the magistrats undertake to informe themselves if it be possible for them to allow it, and in case it can be then for the further encouragement of those of the Scots nation it shall come to enjoy the same priviledges as other staple commodities do, which shall be so settled in a separate article of ampliation after by itself.

5. For the further encouragement of the commerce of those of the Herring.
Scots nation the magistrats of this toun agree that herring cured in Scotland conforme to law there, as also all other salted and dried fish coming here to the staple port, shall be reputed and be staple commodities with the same exemption and priviledges as the goods specified in the 3d article of the said present staple contract of the 1697 provyding it be in their power to do it; and they oblige themselves to do their utmost endeavours they are capable of to obtain these goods to be staple goods and enjoy the priviledges as such.

6. It is agreed and concluded that, for the further explaining of Arbitrations.
the 5th article of the stapler contract, that when arbiters with consent of the parties contending and ane umpire are chosen, and thereby not only renouncing any reduction of the arbitral sentence, but likewise it shall be declared that they shall be willing to submitt thereto in the same manner as it were a sentence of the Hoff van Holland, and that the sentence of the arbitrators and umpire shall be finall and decisive without being subject to be reversed by any superiour judicatory upon what pretence soever.

7. The magistrats of the said toun of Campvere oblige themselves Scots church.
that they shall make their utmost application to the states of provance of Zealand in the first meeting that a fitt sallary be allowed and payed to the precenter and sexton of the Scots church here at the staple port of Campvere.

EDINBURGH.
July 1719.

Confiscation of
staple goods.

8. For the further satisfaction to those of the Scots nation it is by this article concluded and agreed that, for the better explaining of the 23d article of the present staple contract, that the penalty against transgressors of the staple expressed in the said article shall be so far limited and altered that in time to come those carying staple goods by the staple port contrare to the express agreement of the staple contract shall be lyable to the confiscation only of all their staple goods or the value of them instead of all their goods.

Paughts.

9. It is agreed and concluded that whenever any of the Scots nation through ignorance should transgress the laws concerning the paught of any goods, and in case such goods be challenged, being of a small value, the magistrats oblige themselves to protect those of the Scots nation from any vexatious suits of the collectors of such paughts; and in conformity to the meaning of the 27 article of the staple contract there shall be no further demanded of those of the Scots nation for billets or paught briefs as only tuo styvers for expidition; as also the magistrats of the said toun oblige themselves to give the Scots factors here toll briefs in order to their sending their merchandize safer to Holland without the said factors being obliged to take any oaths customary on these occasions.

Conservator's
honorarium.

10. Further, it is found good and agreed that the present conservator shall enjoy his yearly traitment or honorarium in the same manner as the conservators his predecessors have done and as the same stands extended in the ampliatiions of the staple contract in 1697.

Persons em-
ployed by con-
servator.

11. That the conservator shall not imploy in any offices depending on his court any of the burgers or inhabitants of this toun without the previous knowledge and consent of the magistrats of this toun had thereto, but he shall be at freedom to imploy any other persons that does not live in this toun, and such are to enjoy all the priviledges, &c., that stands specified in the staple contract to those of the Scots nation.

Factors hiring
ships.

12. It is likewise agreed that the Scots factors here shall have liberty to hire and freight such small ships and scouts belonging to this toun they please without being bound to observe the ordinary formes of of bewrts or smack reysen, and that there shall be a regulation made of their hires, and for that end the magistrats of this toun together with

the conservator shall make an ordinance regulating the hires to be payed such skippers. EDINBURGH.
July 1719.

13. The magistrats of this toun promise to do their endeavours in this article to the end that the letters from England coming for merchants within this toun may come directly here in a packet apart by themselves. Letters to
merchants.

14. It is by this article mutually agreed, concluded and declared, that the continuation and prolongation of the Scots staple contract within this toun of Vere shall be for 21 years firmly settled after the expiration of the present contract, and to continue so long after as the royal burrows and magistrats of this toun shall mutually agree together, and this contract of prolongation and amplification to take its effect from the executing and signing thereof by the deputies on both sides. Continuation
of contract.

And, lastly, wee the commissioners and deputies of the saids royal burrows and magistrats of the said toun, by virtue of our respective powers before insert, in their names, have caused make two original instruments and signed the same with our ordinary subscriptions, and thereto affixed our seals within the said toun of Vere upon the 24th day of December 1718 years. Two instru-
ments signed

MEETINGS OF COMMITTEE *held at* EDINBURGH.

16 July 1719.

Edinburgh, James Clelland ; Aberdeen, George Fordice ; Stirling, Patrick Gillespie ; Linlithgow, Thomas Ronald ; St Andrews, Patrick Halden ; Glasgow, John Aird ; Kinghorn, Robert Bruce ; Ayr, Robert Moor ; Dumbarton, Sir James Smollet ; Crail, John Lumsden ; Lochmaben, Sir William Johnston ; Sanquhar, George Irving. EDINBURGH.
16 July 1719.
Sederunt.

1. William Neilson, lord provost of Edinburgh, elected preses. Preses.
2. Recommended to the commissioners for St Andrews and Dumbarton to draw an answer to the letter from the magistrats of Campvere with respect to the staple contract. Letter from
magistrates of
Campvere.

3. Appointed the agent to lay before the committee a list of the whole acts of parliament relating to trade and unfree traders for considering what shall be printed, and also the process depending against unfree traders. Acts relating
to trade.

4. Ordained the agent to prosecute the unfree traders who have agreed for Unfree traders

EDINBURGH.
16 July 1719.

the communication of trade for bygone quotas and those who have not accepted, according to law.

Quartering.

5. Appointed the acts of parliament anent quartering to be laid before the committee at next meeting.

20 July 1719.

Letter to
magistrates of
Campvere.

6. Sir James Smollet produced the draught of a letter to the magistrats of Campvere in answer to theirs which was approven of by the committee, the tenor whereof followes :—My Lords,—We have the honour of your lordships letter acquainting us of your having agreed to a prolongation of the staple contract for twenty one years. We have also received the articles of agreement signed by your lordships deputies on your part and by Andrew Kennedy, conservator, on our part. We give your lordships the trouble of this to acquaint you that we have with great unanimity passed in our convention a full ratification of the said agreement which will be presented to your lordships by the conservator. We assure your lordships that we put a high value on the ancient friendship our nation has had with the toun of Campvere and shall doe everything on our part for obliging our merchants to ane exact observance of our agreement with your lordships and have sent particular instructions for that end to the magistrats of our several touns. It gives us a great dale of satisfaction to know from your lordships that the part the conservator has acted on this transaction has been acceptable to your lordships. We doubt not but he shall still have the honour of your lordships favour in the same manner his predecessors in office have had in the like cases. We are persuaded that nothing will be wanting on the part of your lordships as to the full performance of what your lordships have contracted for the encouragement of our merchants and the rendering effectuell the several payments of the staple contract, and we do farder expect your compliance with such other articles as are not yet performed which in our judgement may prove advantagious to trade ; and we have again recomended to the conservators care in representing the same to your lordships that he may with the first conveniency advise us of his progress therein. We are, with the greatest respect, my lords, your lordships humble servants. Signed, [etc.]. Edinburgh, 21 July 1719.

As also a letter to Mr Popple, secretary to the commissioners for trade and plantations, which was appoven, the tennor whereof follows:—
 Sir,—In compliance with yours, the 16th of Aprile, I have communicate to the convention of the royal burrows what was transmitted to me and they have made their return which you have inclosed and will be pleased to deliver. I find the greatest inclination upon the part of the royal burrows to concur in everything that tends to the advancement of trade and particularly to that valuable branch of the fishing. I am likewise desired to return their hearty thanks for the trouble you have taken in that matter, and am, [etc.] Edinburgh, 21 July 1719.

EDINBURGH.
 20 July 1719.
 Letter, commissioners for trade and plantations.

7. Appointed the clerk to transmit to the several burghs the overture given in to the last convention by St Andrews as to the manner of electing members of parliament.

Manner of electing members of parliament.

22 July 1719.

8. Appointed the agent to draw out an abbreviate of the acts of parliament made anent quartering and furnishing of coal and candle to his Majesty's forces, to be laid before next meeting.

Quartering.

9. The commissioner for Ayr "gave in ane overture to the committee anent Codd fish. codd fish."

25 July 1719.

Edinburgh, John Wightman; Ayr, Robert Moor; Sanquhar, George Irving.

25 July 1719.
 Sederunt.

1. John Wightman, dean of guild of Edinburgh, elected preses.

Preses.

2. Approved of contract entered into with Thomas Mathie, merchant in Cockeany, for the communication of trade for the town of Cockeany and Portseton.

Cockeany and Portseton.

26 August 1719.

Edinburgh, James Cleland; Crail, John Lumbsden; Lochmaben, Sir William Johnston; Newgalloway, John Hog; Sanquhar, George Irving.

26 August 1719.
 Sederunt.

1. William Neilson, lord provost of Edinburgh, elected preses.

Preses.

2. Appointed the agent to pay William Hamilton, agent at London, £25 as his salary for the year 1712-3.

Agent at London.

13 November 1719.

- EDINBURGH.
13 November
719.
- Sederunt. Edinburgh, James Clelland ; Stirling, Patrick Gillespie ; Dumbarton, Sir James Smollet ; Craill, John Lumsden ; Whithern, John M'Govan ; Sanquhar, George Irving.
- Preses. 1. John Campbell, lord provost of Edinburgh, elected preses.
- Measure of the 2. The committee agreed that by next annual missive, the several burghs of reel. the kingdom be acquainted of the conveniency of having a uniform measure of a worsted reel, and that they come up instructed as to that matter.
- Subcommittee. 3. Appointed a subcommittee to "consider what was remitt by the last general convention to the committee and prepare a report with their opinion in relation to the saids affaires to be laid before the committee at their next meeting."
- Electing 4. Recommended to the lord provost of Edinburgh to write to Sir David members of parliament. Dalrymple, his Majesty's advocate, to get his opinion on the overture in relation to the electing members of parliament to represent the royal burghs.

24 November 1719.

- Sederunt. Edinburgh, James Clelland ; Dumbarton, Sir James Smollet ; Craill, John Lumsden ; Newgalloway, John Hog ; Sanquhar, George Irving.
- Preses. 1. John Campbell, lord provost of Edinburgh, elected preses.
- Convention to 2. Adjourned till Friday, against which time the committee appointed the be called. agent to bring on the draught of a letter for calling the convention *pro re nata*.

27 November 1719.

- Sederunt. Edinburgh, James Clelland and John Lauder ; Perth, Robert Robertson ; Dumbarton, Sir James Smollet ; Banf, Mr Andrew Hay ; Craill, John Lumsden ; Newgalloway, John Hog ; Sanquhar, George Irving.
- Preses. 1. John Campbell, lord provost of Edinburgh, elected preses.
- Letter to 2. The agent presented the draught of a letter to the burghs in which it is burghs to send commissioners stated that information had been received "that the stuff and silk weavers of to convention. London are designed to bring in a bill this session of parliament against printing and stamping of calicoes and linnen, wherein if they should prevail the linnen cloth manufactories of North Britain would be very much discouraged, if not altogether ruined, and the committee having likewise had laid before them by the lord provost of Edinburgh several letters from some of the principall burghs desiring his lordship to call ane convention of the royal burrows upon this and other concerns of the state of burrows," and the burghs were accordingly directed to send commissioners to attend a convention on 31st December next.

GENERAL CONVENTION *held at* EDINBURGH.

Edinburgh, James Clelland and John Lauder; Perth, Robert Robertson; EDINBURGH.
31 December
1719.
Dundie, John Scrymgour; Aberdeen, Robert Steuart; Stirling, Patrick Gillespie; Linlithgow, Thomas Ronald; St Andrews, David Frazer; Glasgow, John Bowman; Hadingtoun, Mr James Dods; Disart, James Abercrombie; Kirkaldie, Mr James White; Montrose, Colonel Robert Reid; Couper, William Rig; Anstruther-Easter, Thomas White; Dumfreis, James Corrie; Inverness, John Hossack; Burntisland, James Clark; Innerkeithing, John Cant; Kinghorn, Robert Aitkin; Brechin, John Doig; Irving, John Hamilton; Jedburgh, Robert Richardson; Pittinqueem, James Melvill; Dunfermling, John Walker; Selkirk, Andrew Wauch; Dumbarton, Sir James Smollet; Renfrew, Mr John Cochran; Dunbar, William Fall; Lanerk, William Inglis; Elgin, Charles Gordon; Peebles, Robert Forrester; Crail, Mr John Lumsden; Culross, Mr William Cochran; Banf, Mr John Hay; Whithern, John M'Govan; Forres, Alexander Brodie; North Berwick, Sir Robert Dalrymple; Cullen, Mr John Philp; Lauder, John Moffat; Kilrenny, Robert Waddell; Lochmaben, Sir William Johnston; Sanquhar, John Crichton; Newgalloway, John Hay; Queensferry, George Hill; Fortrose, Alexander Gordon; Wick, John Sinclair; (twenty burrows *blank*).

31 December 1719.

1. John Campbell, lord provost of Edinburgh, elected preses. Preses.
2. Appointed a committee to revise the commissions. Commissions.
3. Having heard report of the committee, the convention approved of the whole commissions, except that from Aberbrothock and also that from Sanquhar in so far as concerns the assessors. Commissions approved.
4. Remitted to a committee to prepare a petition to be laid before parliament relating to a bill brought into the house of commons against printing and stamping of calicoes and linnen. Printing and stamping of linnen.

2 January 1720.

4. The convention [approved of the following petition to parliament and directed it to be forwarded.] To the honourable the commons of Great Britain in parliament assembled. The humble petition of the general convention of the royal burrows of North Britain, conveyed at Edinburgh the last day of December 1719, sheweth: That the linnen Draught petition approved.
Petition to the parliament.

EDINBURGH.
2 January
1720.

Petition to the
parliament.

manufacture in Scotland (which is the most considerable branch of our trade) is of very great advantage to the subjects of that part of the United Kingdom. That the linnen manufacture is in all respects to Scotland what the woollen manufacture is to England. That linnen being the staple commoditie of that part of the kingdom, should the manufacturing of it receive any discouragement it must necessarily draw along with it intire ruine to many thousands in this country who are thereby employed since that is the only manufacture now in Scotland which maintains and keeps at work their poor. That the trade of dying Scots linnen being quite lost, and the using of it while being rendered impracticable by the importation of forreign linnen there is now no way left for the consumption or use of the greatest part of Scots linnen but by having it printed or stained. That it has been the established maxim and uniforme practise for these many years backward to give all due encouragement to their own manufactures, so this of linnen painted and stained deserves that encouragement in a particular manner since it is intirely of the produce of the country and manufactured at home. That several petitions have been presented to the honourable house complaining of the decay of trade by reasone of weaving of printed, stained and painted linnen, tho manufactured at home, and should any prohibition of this kind be granted would at once intirely destroy the manufactur of linnen in Scotland in which every paroch, toun and county there, are particularly concerned, and which in a very particular manner must be of great prejudice to all the royal burrows. That as your petitioners humbly apprehend such prohibition would be of very little advantage to these petitioners or afford such remedy as they desire, so tho it should yet your petitioners conceive it would be a hardship on them and that very great to relieve one branch of trade at the expense of another, or lay too heavy a burden upon one part of the kingdom to give some redress to the other. Your petitioners therefor humbly pray that there may be no prohibition granted against the weaving and using of Scots linnen, printed, stained or painted, and that your petitioners may be heard against any such prohibition by their counsell or otherways as this honourable house shall think fitt. And your petitioners shall ever pray. Signed, [etc.]

5. Approved of commissions from the burghs of Dundie, St Andrews, Pittinweem, Innerkeithing, and Wick. EDINBURGH.
2 January
1720.

6. The convention approved of the [following draught of a letter] to Mr William Hamilton, their solicitor at London:—Sir,—The royal burrows has been very frequent in attending the generall convention and have formed the draught of ane case to be presented to the members of parliament which is inclosed. At the same time they do not confine you to the precise words thereof but do allow that you make use of such other expressions as may be thought more expedient and better calculat for their understanding that matter, and if this affair shall come to ane publick hearing you are to imploy such lauyers as with your own concurrence are most capable to manage the business; for which end you are impowered by the general convention, and in case you do not succeed in the house of commons you are to apply to be heard by council in the house of lords before the bill do pass. Also, take all such other proper methods as may best attain the end proposed, upon the charges of the royal burrows, and when you draw upon their agent he is waranted to honour your bills. And, specially that you wait on such of our countrymen as are members and represent unto them whatt is remitt by the royal burrows to your care and to do everything ells that may be thought necessar. Your commission to be our agent will sufficiently warrand you to appear in behalf of the royal burrows, and were you with us you would sympathize with that universal concern all ranks of people do show upon this occasion; and that you may be convinced of the full trust reposed in you they have not thought it needfull to name any other lawyer except such as you shall think fit in this management; only, we shall be very sensible of any assistance you receive from any persone who shall concurr and strengthen your hands in this important matter. We do not at all doubt my lord advocats readyness to give advice and assistance nor yet any of the honourable members from Scotland. There is in like manner inclosed ane just copy of the petition which is to be presented in parliament and the principall is under Sir George Warrender his cover, which you will be pleased to deliver and recomend to his special care; and which petition you will observe is the same with the copy you sent us. Upon the whole matter as the convention is satisfied with the care you

Commissions
approven.
Letter to agent
at London.

EDINBURGH.
2 January
1720.

Letter to agent
at Londen.

have already taken in this matter, you can hardly believe the degree of satisfaction and pleasure the convention will have in your having the success they hope for, and you may imagine it will not a little add to your character if you shall be the happy instrument of relieving your native country from these calamities they are so much threatened with; and you are to take particular care to acquaint our Scots factors, to witt, Messrs Fead, Calder, Johnston, or any other persone as have bestired themselves on this occasion, that they may continue their endeavours; and you are desired in the conventions name to return these gentlemen our hearty thanks for the appearance they have already made. This is signed, [etc.] Edinburgh, 2d January 1720.

Members of
parliament to
be writ to.

7. The convention recomended to the representatives of the several royal burrows to writ to their representatives in parliament to use their utmost endeavours to prevent the passing of any law prohibiting the printing, painting or staining of British linnen, and to send up addresses from the several burrows for that effect.

Col. Reid to
assist agent.

8. The convention being informed that Colonel Reid, commissioner for the burgh of Montrose, was going to London about his own concerns, it was moved it might be recomended to the said Colonel to be assisting to Mr Hamilton in the affair of the linnen cloath which he most generously undertook declaring he was to ask no gratification for any trouble or pains he should take in the said affair, whereupon the lord provost of Edinburgh, preses, at desire of the convention, gave him hearty thanks in their name.

Fisherie in
Scotland.

9. The convention upon report of the committee appointed to consider the representation of the dean of gild and merchants of Glasgow, for themselves and thousands concerned in making, curing and exporting of fish made in the west seas of Scotland, seting forth that there is a designe set on foot by some persons for carying on a grand fisherie in Britain, particularly in the northern parts thereof, and for promoting whereof there are subscriptions taken in for a very considerable sum and application is to be made for letters patent erecting and establishing them into a royal or grand fisherie company, exclusive of all others, for making, curing and exporting of fish, which cannot but be hurtfull to the whole body of the nation; which being considered by the convention, together

with a minute of the committee of burrows dated 11th December 1718, by which Mr William Hamilton, agent for the royal burrows at London, is directed to procure a copy of any petition that shall be presented to the privy council of Britain for procuring a patent of this kind and to transmit the same to the lord provost of Edinburgh. And the convention having heard *viva voce* the commissioners of the several royal burrows concerned in the fishing trade upon the subject of the said representation, did therefor appoint Mr William Hamilton, their agent at London, to take notice of any application that shall be made in favours of the said company, and if any exclusive clauses be desired in the said patent of the libertie of the subjects of Scotland now enjoying the fishing trade, and appointed him in name of the burrows to oppose the same and to correspond with the committee of burrows for their further directions if the same should be found necessar with respect to his conduct in that matter and to report his dilligence to the said committee; and the convention recomended to the commissioners of the several royal burrows to the parliament to assist the agent therein.

EDINBURGH.
2 January
1720.
Fisherie in
Scotland.

10. The convention upon report of the committee appointed to consider a memorial from the magistrats and toun council of the burgh of Aberdeen anent the grievances and hardships which dealers in salt and proprietars of fish do lye under and of the discouragements they have in that part of their trade; which being considered by the convention they appointed the commissioners for the burghs of Edinburgh, Perth, Dundie, Montrose, Inverness, North Berwick, Culross and Craill, or any three of them, to meet with and discourse the commissioners of the customes upon the subject of the memorial, and to procure redress from them of the grievances therein complained of, and appointed Mr William Hamilton, the burrows agent at London, to concur with any application that may be made by the memorialists or others in their circumstances for payment of the legal drawbacks to which they are intituled for salmond made and cured be them with excise salt which payed the great duty but were not so pined as to be fit for exportation before the 24th June 1719.

Drawbacks or
salmon.

11. The convention considering of how great concern the preventing the prohibition of printing, painting or staining of Brittish linnen, is to

Money to be
advanced.

EDINBURGH.
2 January
1720.

Money to be
advanced.

this part of the United Kingdom, they grant warrand to Mr George Smollet, their agent, to advance to Mr William Hamilton, their solicitor at London, what money may be necessar for carying on the said affair, and that at sight of the committee appointed by the last annual convention in July to sit after dissolving thereof; as also appointed him at the sight of the said committee to advance what money may be necessar for stopping any gift or patent that may be prejudicial to the fishing trade of the royal burrows of Scotland.

GENERAL CONVENTION *held at* EDINBURGH.

EDINBURGH.
5 July 1720.
Sederunt.

Edinburgh, James Clelland and John Lauder; Perth, Robert Robertson, jun.; Dundie, John Scrymgour; Aberdeen, George Fordice; Stirling, James Christie; Linlithgow, Thomas Ronnald; St Andrews, Patrick Halden; Glasgow, John Bowman; Ayr, Robert Moor; Hadingtoun, George Denune; Disart, James Abercrombie; Kirkaldie, James Barclay; Montrose, Colonel Robert Reid; Dumfreis, James Corrie; Inverness, John Hossack; Burntisland, Robert Bell; Innerkeithing, John Cant; Kinghorn, Robert Bruce; Brechin, John Doig; Irving, William M'Taggart; Jedburgh, Robert Richardson; Kirkudbright, John Maxuell; Pittinueem, James Melvill; Dunfermling, Mr John Walker; Selkirk, Andrew Wauch; Dumbarton, Sir James Smollet; Renfrew, Mr John Cochran; Dunbar, William Fall; Lanerk, William Inglis; Peebles, Robert Forrester; Crail, John Lumsdain; Culross, James Adam; Banf, Mr Andrew Hay; Whithern, John M'Gofian; Forres, William Dawson; Ruthglen, John Muir; Northberwick, Mr Hugh Dalrymple; Cullen, Mr John Philp; Lauder, John Moffat; Kilrenny, James Peacock; Annan, Mr George Blair; Lochmaben, Sir William Johnston; Sanquhar, John Crichton; Newgallaway, John Hog; Queensferry, George Hill; Campbeltoun, Mr Robert M'Collin; (twenty burghs *blank*).

5 July 1720.

Preses.
Commissions.

1. John Campbell, lord provost of Edinburgh, elected preses.
2. Appointed a committee to revise the commissions.

6 July 1720.

Commissions
approven.

3. On report of the committee, the convention approved of all the commissions, except that of Elgin in regard the commissioner was not a residenter within the burgh and did not hold burgage lands to the value of 3,000 merks.

4. Appointed the agent to give in his accounts for perusal by the members and also a list of arrears of missive dues. EDINBURGH.
6 July 1720.

5. Appointed certain heads and articles of the present missive to be continued in next annual missive. Accompts.
Heads of
missive.

6. The convention, considering that due intimation had been made to all concerned in terms of the 18th act of last general convention, discharged John Allerdies, factor, discharged. Allerdies,
factor, dis-
charged.

7. The convention, considering "how much it is the intrest of this part of the United Kingdom that a fisherie company be encouraged, as also considering that there are letters direct to the several royal burrows whereby they are invited to be concerned in a company called the Royal Fisherie," remitted to a committee to consider the same, and directed such information as has been received to be laid before them. Anent the
fishery.

8. Having received a letter from the magistrates of Campvere the agent was appointed to cause it to be translated and laid before the convention. Letter from
Campvere.

7 July 1720.

9. Remitted to a committee to consider the agent's accounts and list of arrears of missive dues. Accompts

10. Remitted to the same committee a memorial from the general receiver desiring that orders may be given for payment of the proportion of the tax roll cast upon the unfree trade. Memorial from
general
receiver.

11. Remitted to a committee to consider and report on a memorial from the burgh of Burntisland complaining that the former managers of that burgh refuse to account for their intromissions with the common good. Burntisland.

12. The convention "having heard the translatione of the letter direct to the generall convention from the magistrats of Campvere, complaining that the staple contract is not duely observed," remitted to a committee to consider the same, as also everything relating to the staple port. Staple port,
complaint from
magistrats of
Campvere.

13. Appointed the commissioner for St Andrews to be added to the committees for the fishery and missive. Committees,
St Andrews.

14. In compliance with petition from the burgh of Haddington, the convention ratified and approved of the sale of a tenement of land and yard belonging to the burgh which paid £3 sterling yearly and was sold for 2190 merks Scots; and appointed the price to be applied towards payment of the burgh's debts. Ratification,
Hadingtoun.

15. Remitted to the committee anent the missive petitions from the burghs of Dundie, Irving and Selkirk, reports from the visitors of Whithern and Crail, and the article in the missive relating to Dundie. Remits to
committee.

EDINBURGH.
8 July 1720.

Mr Richard
Savage, peti-
tion.

Prestonpans.

8 July 1720.

16. Remitted the petition of Mr Richard Savage, first clerk to the secretary of the customs, to the committee anent the agent's accounts.

17. Remitted to a committee petition of the merchants and inhabitants of the town of Prestonpans.

9 July 1720.

Act in favours
of the mer-
chants in
Prestonpans.

18. The committee appointed by the preceding act reported that having taken information of the circumstances of Prestonpans with respect to trade, they found that at the original agreement which was at the rate of five shillings in the tax roll "there was a considerable Hollands trade caryed on in the place, which being very much decayed and a seperat communication granted to Thomas Mathie in Cockeany for two shillings Scots in the tax roll, whereas the said Thomas Mathie did formerly reside in Prestonpanns and bear a good share of their taxes," the convention agreed to discharge the town of Prestonpanns on payment of five shillings Scots of the tax roll for bygones and in time coming till next alteration of the tax roll.

Burntisland.

19. The committee reported that they having considered the memorial given in by Baillie Bell, present commissioner for the burgh of Burntisland, remitted to them by the convention, complaining of Baillie Angus, Baillie Ross, Baillie Thallan, and the toun clerk, who had since Michalmas j^m vij^c and fifteen to this time taken up and uplifted the revenue of the said burgh and never as yet cleared accompts or accompted for the same, that it was the opinion of the committee that the convention should appoint some of their number to go to Burntisland and call the forsaid persons before them, or any other burgeses within the burgh as the present commissioners shall informe, as also for books, papers and records, and there see the saids persons fitt and state the accompts of their intromissions with the touns commone good and patrimony, as also how they have applyed the money borrowed by them during that time, and to examine and take account if or not they have misapplyed mortifications otherways then in the terms of the mortification, or if they have retained the same in their hands and not given it out and imployed it yearly for the end therein designed, as also to endeavour to settle and agree any differences that may be in the said burgh ; and in case the forsaid persons

shall refuse to appear before the said committee and state and adjust their accompts, or shall refuse to exhibit and produce writs, papers, records or council book of the said burgh, that then the committee shall report the samen to the committee that shall be impowered to sit at Edinburgh after dissolving of this present convention whom the convention should impower to give furdur orders and directions thereanent, and were of opinion the convention appoint the day of the committees meeting at Burntisland and that the agent by a letter acquaint the persons forsaid of the meeting and of the committees coming there and that ten days befor the day of meeting that they may have their accompts in order. Which being considered by the convention they approved of the said report and autherised and appointed the burghs of Edinburgh, Perth, Disart, Kirkcaldie, Innerkeithing, Kinghorn and Sanquhar, whereof three a quorum, to meet at the said burgh of Burntisland upon the sixteen day of August next to the effect mentioned in the report and to report their dilligence therein to the committee that shall be appointed to sit after dissolving of this annual convention, and appointed their agent to make intimation of the meeting in the terms of the report.

EDINBURGH.
9 July 1720.
Burntisland.

20. The convention, anent the petition from the burgh of Selkirk ^{Selkirk.} representing that they had expended £150 sterling in bringing in water necessary for the toun without which the toun could not subsist but with difficulty and great expence, whereof £50 sterling was laid upon the inhabitants by a stent and £100 sterling was borrowed by the council, craving therefore some suteable supply from the convention for relieving them of that burden which they were not able of themselves to bear; which being considered by the convention they appointed the burghs of Jedburgh, Peebles and Lauder, or any tuo of them, to visit the publick works of the said burgh of Selkirk, particularly the canaal by which the water is brought in, and to report to the next convention how far the same was necessar and what might be the expence thereof and how far the burgh was able to defray the same; and this to be a head of the next generall missive in order to the relief of the said burgh. In the mean-
me the convention recomended to the magistrates and council of the said burgh of Selkirk to apply to the parliament for tuo pennies upon the pint for paying their debts, the expence of the publick works and other exigencies of the burgh.

EDINBURGH.
9 July 1720.
Dundie.

21. A report by commissioners appointed to visit the burgh of Dundie and report the particular state and circumstances thereof and of the public works and harbour having been made but gone amissing, the convention appointed commissioners to make a new visit and report.

Crail harbour.

22. The committee appointed to visit Crail reported that its harbour is ruinous and the convention instructed them to make a new visit and report if the burgh is able to repair it.

Irving.

23. Appointed a committee to visit the burgh of Irving and report as to its condition.

Anent the
letter from the
magistrates of
Campvere.

24. The committee appointed to consider the letter from the town of Campveer reported that they were of opinion that the conservator state the case in writ and give it to the agent to be laid before the lord advocat with the business of the fishery, viz., how the transgressors of the staple port shall be prosecuted, and before what judge, in order to the implementing of the burrows part of the staple contract; and also that the convention appoint one or two of their number to go to the commissioners of the customes to communicat to them the method proposed by the town of Campveer for observing of the staple contract, and to know whither they will concurr with the burrows in following the expedient in applying to the lords of treasury proposed in the said letter; which being considered by the convention they appointed the conservator to state the case to the effect mentioned in the report.

Whithern,
£10.

25. On report as to Whithern the convention allowed the burgh £10 sterling to be applied for repairing their harbour and tolbooth.

Burghs
excused.

26. Excused Aberbrothock, Elgin, Rothsay, Newgallaway and Inverarie, for not sending up commissioners to the present convention.

Richard
Savage, £125
sterling.

27. The convention, upon report of the committee appointed to consider the petition given in be Mr Richard Savage, first clerk to the secretary of the customes, shewing that he was sent to London to procure payment of the drawbacks upon fish and corns to those concerned therein, where he continued for the space of six months in negotiating the said affair, and therefor craving payment of his charges and a gratuity for his services; which being considered by the convention they appointed Mr George Smollet, their agent, to pay to the said Mr Richard Savage an hundred and twenty five pounds sterling money in full of all he can

claim from the burrows for his charges and gratuity for his said service. EDINBURGH.
9 July 1720.

28. The convention, upon report of the committee appointed to consider the heads and articles of the present missive, did find it a conveniency to the burrows to have ane uniforme measure of a wosted reel, did therefore recomend the same to the respective burrows and appointed the same to be continued as a head of the next annuall missive. Wosted reel.

29. The convention having heard ane abstract of the priviledges of the royal burrows with some queries relating to the fishing trade read in their presence, they remitted to the commissioners for Edinburgh, St Andrews, Ayr, Northberwick and Sanquhar, to lay the abstract and the queries before his Majesties advocat and Mr Duncan Forbes, advocat, for their advice thereanent. Fishing trade.

13 July 1720.

30. Report by committee on the agent's accounts of intromissions with the missive dues from July 1719 to July 1720, submitted. The agent charges himself with £8000 of missive dues and the discharge amounts to £9134, 10s. 6d. Agent's ac-
compts,
missive dues.

31. Report by committee on the agent's accounts of intromissions with unfree trade from July 1719 to July 1720 submitted. The charge consists of £333, 5s. received from Greenock, £231, 11s. 9d. from Kilmarnock, £140 from Peterhead, and £132, 14s. from Cockeanny; total £837, 10s. 9d.; from which being deducted the balance due at last clearance, and the interest thereon, there remained due by the agent £537, 14s. 7d. Agent's ac-
compts, unfree
trade.

32. Referring to the [20] act of convention, dated 9 July 1718, the convention continued the one per cent. on all goods brought to the staple port to be paid to the conservator for three years to come. Conservator.

33. Remitted to a committee to consider and report on petition given in by the conservator. Conservator.

34. On petition of Sir Robert Forbes, late agent, the convention allowed to him £10 sterling of gratuity. Late agent,
£10.

35. Granted warrant to the burgh of Wigton to pursue unfree traders within the parishes of Pinningham, Kirkouan and Kirkinder, and to apply what shall be recovered for relief of the burgh in the tax roll. Wigton.

36. Referring to the 8th act, dated 2d January last, the convention allowed to Col. Reid twenty guineas for his extraordinary charges, and appointed the preses to give to him "the conventions hearty thanks for his care and dilligence." Col. Reid,
20 guineas.

EDINBURGH.
13 July 1720.
Pittinueem.

37. On petition by the burgh of Pittinueem the convention ratified and approved of the sale by them of two half acres of land and a ruinous uninhabitable house and two office houses, for 850 merks Scots, for defraying the town's debt.

Forres.

38. On petition by the burgh of Forres the convention ratified and approved of the sale by them of a piece of ground called the Calfward and a piece of ground on the south end thereof, the price to be applied for payment of the town's debts.

Missive dues.

39. Appointed the agent to prosecute the burghs for payment of arrears of missive dues, and ordained that hereafter no commission from any burgh shall be read till the missive dues be paid.

Anent the
fishery.

40. The committee appointed by the 29th act reported the opinion of his Majesty's advocate and other lawyers, which being read was remitted to a committee to consider and to bring in the draught of an act thereupon.

Conservator
£100 sterling.

41. On report by the committee appointed to consider the conservator's petition the convention appointed the agent to pay him £100 sterling of gratuity "in regard the fies arising at the staple port hath for some time bygone been very inconsiderable." Against this the commissioner for Glasgow protested "in regard the trade of the staple ought to bear the expense of maintaining the conservators character," and to this protest the commissioner for Disart adhered.

14 July 1720.

Staple port.

42. Remitted to the committee which is to sit after this convention to write an answer to the letter from the magistrates of Campvere, and to direct the most proper way for prosecuting transgressors of the staple port.

General
receiver,
£284, 4s. 0¾d.

43. On memorial by the general receiver the convention appointed the agent to pay him £284, 4s. 0¾d. sterling for cess due by the unfree traders preceding 24 June last and forthwith to use quartering against unfree traders till they pay up their deficiencies.

Gratuities.

44. Allowed to James Smith, late bailie of St Andrews, £6 sterling of gratuity, and to Thomas Broun, late bailie of Innerkeithing, £1 sterling.

Draught act.

45. The committee appointed by the 40th act reported the draught of an act anent the fishery, and in regard of the importance of the matter the convention remitted to a committee to consider the affair and report their opinion to next meeting of convention.

15 July 1720.

Act anent the
fishery.

46. The convention of the royal burrows, takeing to their serious consideration the petition presented to them by Messrs Fenton, Marjori-

banks, Drummond, Anderson, Robertson and others, merchants, burgesses and freemen of the royal burrows of Scotland, seting forth that in pursuance of severall acts of parliament of Scotland particularly mentioned in the said petition they have for many years past caryed on fishing, other trades and manufactories, in societies by joynt stocks, and have enjoyed the severall priviledges and immunities mentioned in the said acts and belonging to them as freemen burgesses of royal burrows exclusive of all others not freemen, that their said joynt stocks are not sufficient to cary on the fishing trade to the extent it's capable of, by fitting out vessels proper for catching fish in deep waters and airy seasons, that they are resolved under countenance of the convention of royal burrows to enlarge their joynt stocks by taking in in copartnership with them such other members, merchants, burgesses and freemen, as by the laws of Scotland are free traders and who are willing to joyn with them in promoting the said fishing trade, whereby they hope in a short time to cary the same to greater perfection; that they are informed several societies have been formed in England with large and extensive capital stocks for carying on the fishing trade and if such should take place and use that trade in the ports and herbours of the royal burrows of Scotland would not only be a direct incroachment upon the priviledges and immunities peculiarly belonging by many acts of parliament and charters from the croun to the said royal burrows and freemen thereof but also would deprive them of the principall branch of their trade and leave them subject to the payment of the sixth part of the land tax of Scotland, to which they are by law subjected in consideration of their exclusive priviledge of trade, and therefore craving that the proper steps may be taken, as appears to have been done at many former occasions from the records of the convention, for preventing of any grant of letters patents being made by the croun in favours of such fishing societies to the prejudice of the priviledges of the royal burrows; and that the convention would assist and support the petitioners and such as shall joyn with them in so just and usefull an undertaking in obtaining from his Majestie and parliament the necessary protection and incouragement in the enjoyment and exercise of their rights and priviledges as merchants, traders and freemen of the said royall burrows; as the said petition more fully bears.

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Act anent the
fishery.

EDINBURGH.
15 July 1720.
Act anent the
fishery.

Likeways, the convention of the royal burrows having taken to their consideration a charter granted by his Majestie James [II.] erecting the parliament of the four burrows for making laws and statuts concerning commerce and regulation thereof and their own wellfare;¹ a charter granted by his Majestie King David in their favours granting them the priviledge of trade and commerce;² the 111 act James 3, parliament 14, constituting the convention of burrows and impowering them to treat about the wellfare of merchandise and their own commone profit;³ the 84 act of King James 4, parliament [6], ratifying the priviledges of the burrows and enacting that none duelling out of burghs royal use merchandise or other trade;⁴ the 119 act of the 7 parliament, James 6, impowering and autherising the convention of the royal burrows for making statuts and regulations concerning trade and commerce;⁵ sundry other laws and acts of parliament establishing and ratifying their rights and priviledges; a royal letter from his Majestie Charles 2d, discharging the erection of burghs of barrony and regality with priviledges belonging to royal burrows and granting sole liberty to the royal burrows to erect manufactories, recomending to them to prosecute fisheries, and promising them certain incouragements; another royal letter from his said Majestie Charles 2d addrest to the convention for erecting companys and manufactories within their burrows; a royal letter from his Majestie King William addrest to the convention observing that the 27 act of the 3d session 1 parliament,⁶ Charles 2,⁶ concerning the power of disposal of forreign trade, was a grievance to them and signifying that his Majestie had instructed his high commissioner to the then ensueing parliament of Scotland to rectifie that and their other priviledges and assuring them redress for whatsoever was burdensome to them;⁷ another royal letter from his said Majestie King William addrest to the convention mentioning that his Majestie expected their service and care to manage and promote trade and that they need not be apprehensive of his Majesties granting patents

¹ See Letters Patent, dated 5th November 1454. Convention Records, vol. i. p. 542.

² Charter by King David II., dated 28th March 1364, *Ib.*, pp. 538-41.

³ 1487, c. 17, Acts of the Parliaments of Scotland, vol. ii. p. 79.

⁴ 1503, c. 29, *Ib.*, vol. ii. p. 252.

⁵ 1581, c. 26, *Ib.*, vol. iii. p. 24.

⁶ 1663, c. 81, *Ib.*, vol. vii. p. 503.

⁷ Letter dated 27th September 1689. Convention Records, vol. iv. pp. 103-4.

to their prejudice, recommending to them the improvement of their meetings for the uses they were designed, which were the effectual advancement of trade and manufactory, assuring them of his royal protection;¹ the 5th act Charles 2d, parliament 2d, session 3d, granting the privilege of export and import to the royal burrows;² and the 12 and 34 acts of William and Mary, parliament 1, session 2d, granting to the royal burrows the said privilege of export and import;³ the 4 and 21 articles of the treaty of union, whereby the rights and privileges of the royal burrows are salved and preserved; with the convention their constant practise in making regulations concerning the improvement of trade and commerce and erecting companies and manufactories and in stoping the granting of letters patents from the crown that had tendency to any monopoly contrare to their rights and privileges as contained in their records, namely *in annis* 1578, 1616, 1696, 1708. Therefore the convention of the royal burrows has approven and hereby approves of the said petitioners and other freemen of the royal burrows who shall subscribe the said copartnership betuixt and the sixth day of August next to come their assuming to themselves such a number of copartners, burgesses of the royal burrows, and for such additional stock as they shall think sufficient, for carying on ane herring fishing in deep waters by bushes and all other sort of fishing upon the coast of Scotland; and for their encouragement the convention of the royal burrows hereby declare that they will use all legal means for preventing the granting of letters patents from being made by the crown in favours of any society to their prejudice in said undertaking or to the prejudice of the privilege of the royal burrows; and that the convention will assist and support the said petitioners and such as will joyn with them in so just and usefull ane undertaking in obtaining from his Majestie and parliament the necessary protection and incouragement in the enjoyment and exercise of their rights and privileges as merchants and freemen of royal burrows. And whereas there hath been of late many projects formed for erecting corporations with transferable stocks for carying on the fishing trade,

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Act anent the
fishery.

¹ Letter dated 30th. May 1692. Convention Records, vol. iv. pp. 168-9.

² 1672 c. 5, Acts of the Parliaments of Scotland, vol. viii. p. 63.

³ 1690 c. 15, and 1690 c. 103, *Ib.*, vol. ix. pp. 152, 224.

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which have hitherto made no advances towards putting the said designe effectually in execution but have occasioned a new traffick in selling and buying of shares in the said incorporations to the great prejudice of trade, and whereas if such corporations should consist of persons not freemen and burgesses of the royal burrows of Scotland and should proceed to cary on the fishing trade in the ports and herbours of Scotland would by the largeness of their capitall stocks be enabled not only to inroach on the liberties of the royall burrows but likewise would in a great measure deprive them of the chief branch of their trade whereby they are enabled to pay the said sixth part of the land tax of Scotland laid upon them in consideration of their said exclusive priviledges of trade ; for preventing therefor the said inconveniencies the convention of the royal burrows has enacted and declared and hereby enact and declare that they will not only by all lawfull means countenance and encourage the said petitioners and other subscribers to the said copartnership in the enlarging their stock for the use above mentioned but also that they have resolved and hereby resolve, according to the rights and priviledges and laws established, further to erect, support and incourage a company for fishing whereof the said copartnership is to make a part ; provided always that the said petitioners and other freemen of the royall burrows who shall subscrib the said copartnership betuixt and the day forsaid shall admitt to their said copartnership, for reasonable shares to be determined by the committee of the convention for the time being, all such persons as are burgesses freemen of the royal burrows, or those who shall purchase and obtain their said freedom, as shall be willing to joyn with them on or before the sixth day of August next or on or before such other day or days as the said convention or their committee shall appoint from time to time, they always advancing their proportionable shares as calls are made by proper managers of such copartnership ; provided also that no member of the said copartnarship shall be allowed to sell, transferr or assigne his share therein, unless by consent of the managers of the same ; provided also that the preamble to the subscription of the burgesses and freemen to be admitted to the said copartnership or the conditions on which they are to subscribe shall be revised, settled and agreed to, by the said committe of the convention of royal burrows. And for the better assisting of the said copartnership in promoting their forsaid

undertaking the convention of the royal burrows is hereby appointed to meet at Edinburgh the third Tuesday of October next; and meantime the said convention recommended and hereby recommends to their committee who shall be appointed to sit for the management of their affairs after the dissolving of this present convention to consider of the nature of the several kinds of fishing on the coast of Scotland and what sum or sums of money may be sufficient to carry on a fishing trade with success, to be reported by the said committee at the said next convention, at which time subscriptions are to be taken in as said is. And the convention of royal burrows ordain'd and hereby ordains that the magistrates and council of each burrow enquire what of their freemen burgesses are willing to enter into the said copartnarship or into any fishing company which the convention may by law establish, and for what sums, and to report particular lists of persons and sums to the said ensuing convention to the end that the convention may be the better able to judge what the extent of the capital sum of the said copartnarship or of any other fishing company which by law they may establish ought to be whereof the said copartnership is to be a part. And, least before the meeting of the said next convention attacks or incroachments should be made upon the rights and priviledges of the royal burrows by unfreemen or otherways, the said convention of royal burrows has commissioned and empowered and hereby commissionat and empower the said committee who are appointed for the management of their affaires after dissolving of this convention to make all proper applications and use all legal means for preventing of any such attacks as fully and effectually as this or any other convention could do themselves. Provided always that nothing in this act contain'd shall be construed or ingage the convention of the royal burrows into any charge or expense in prosecution of any of the matters and things therein mentioned without the express consent and agreement of the said convention. And it is hereby declared that none to be admitted into the forsaid copartnarship shall subscrib for a sum below one hundred pounds sterling nor be allowed to exceed three thousand pounds money forsaid.

EDINBURGH.
15 July 1720.
Act anent the
fishery.

47. Appointed a committee to sit after dissolving of this convention to consider as to the unfree traders, the staple port, and to adjust differences amongst the burghs.

EDINBURGH.
15 July 1720.
Sallaries and
gratuities.
Convention
dissolved.

48. Appointed the agent to pay certain salaries and gratuities.
49. Dissolved the present meeting, and appointed the next annual convention to be held at Edinburgh in July 1721.

MEETINGS OF COMMITTEE *held at* EDINBURGH.

16 July 1720.

16 July 1720.
Sederunt.

Edinburgh, Ayr, Hadingtoun, Inverness, Innerkeithing, Brechin, Irving, Dunbar and Whithern, [same representatives as at last general convention, *supra* p. 232]; Dunbarton, Mr George Smollet; Sanquhar, George Irving.

Preses.
Fishery.

1. John Campbell, lord provost of Edinburgh, elected preses.
2. Referring to the 46th act of last general convention the committee remitted to certain burghs to bring in "the draught of a preamble with the indenture or contract of copartnery to be signed by the freemen burgesses of the royal burrows for carying on a fishery, and appointed the commissioner for the burgh of Sanquhar to take the petition subscrivit by the merchants of the royal burrows given in to the general convention into his custody, and the committee declared they would allow of no further subscriptions to the said petition but such as were taken in presence of the committee or any three of their number; and appointed the burghs of St Andrews, Montrose, Dumbarton, Dunbar, Banf, and Sanquhar to invite the lords of session and barrons of exchequer to be concerned in the copartnary."

Adjournment.

3. The committee adjourned their meeting till 20th inst.

20 July 1720.

20 July 1720.
Sederunt.

Edinburgh, St Andrews, Ayr, Inverness, Brechin, Irving, Renfrew, Dunbar, Banf, Whithern, Northberwick, Cullen and Lochmaben, [same representatives as at last general convention, *supra* p. 232]; Dumbarton, Mr George Smollet; Sanquhar, George Irving.

Fishery.

The subcommittee reported the draught of an indenture or contract of copartnery which the committee appointed to be laid before the lord advocate, solicitor, and Mr Duncan Forbes to be revised; and adjourned the meeting till 25th inst.

25 July 1720.

Sederunt.

Edinburgh, James Clelland; Ayr, Robert Moor; Brechin, John Doig; Dumbarton, Mr George Smollet; Dunbar, William Fall; Whithern, John M'Gouan; Forbes, William Dawson; Sanquhar, George Irving.

1. The commissioners for the burghs of Edinburgh, St Andrews, Ayr, Dumbarton, Northberwick, Lochmaben and Sanquhar, reported that the indenture or contract of copartnary had been according to the appointment of the committee revised by the lawyers mentioned in the minute the last sederunt to which they had made several amendments; and a clause being offered by the commissioner of the burgh of Sanquhar allowing partners to take burden for others, under the conditions and with the provisions therein mentioned, as also a copy of a proxy for signing the said copartnary and for voting at general meetings thereof, a forme of write whereby these who take burden for others are to be relieved ; all which being read in the said committee they were severally approven of and the indenture ordered to be drauen out clean upon large stamp paper and ingrossed in a book in order to be signed by the copartners, the tennor of which indenture and proxy for signing and voting is as followes : At Edinburgh, the eight, ninth, tenth, eleventh, tuelth and fifteen days of August, j^mvij^c and twenty years, it is contracted and agreed betuixt us after designed and subscribing, merchants, burgesses, and freemen of the royal burrows of Scotland, in manner and to the effect aftermentioned, that is to say, that whereas we have for many years past caryed on a fishing trade in societies and copartnerships in the manner agreeable to the laws and practice of Scotland, and having by a petition represented to the general convention of the royal burrows our intention of enlarging our stock by assuming other burgesses and freemen into copartnership with us for carying on the said fishing trade, both for preservation of the priviledges of the burgesses of the royal burrows and for the commone benefite and advantage of the United Kingdom, and the said general convention in virtue of the rights and priviledges vested in them by many acts of parliament in Scotland, charters and patents from the croun made in their favours and granted to them for valuable considerations, having by their act of the fifteen of July last approven of our said intention and autherised us to go on therein promising their countenance and assistance, as in the said act is at more length set forth: Therefor witt ye us to be bound and obliged severally to each others and to such as we shall assume to be partners with us betuixt and the first day of July j^m vij^c and twenty one years, or at any other time, for carrying

EDINBURGH
25 July 1720.
Indenture or
contract of
copartnery as
to fishery.

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contract of
copartnery as
to fishery.

on the said fishing trade according to the method and manner hereafter prescribed, that we shall duly and lawfully performe, implement and fulfill all and each of us to others, and to such as we shall assume, the haill conditions, stipulations and articles after exprest and contained in this present indenture and contract of copartnary, and such other articles, conditions, maters and things, as shall be afterwards settled, covenanted and agreed betuixt us or our partners to be after assumed, or by those impowered by them and us to settle such articles, pactions and agreements, as may from time to time be found necessary for maintaining and carying on our copartnership in the said fishing trade, and which copartnary is to continue and endure seven years after the date hereof unless sooner dissolved by a general meeting of the copartnary.¹

(1.) Each of the partners to pay such person as they shall appoint to be their cashier or treasurer such sums as are agreed upon conform to list, and such sums to be employed for the benefit of the copartnery and of such copartner proportionable to the amount of contribution.

(2.) The copartnership to be managed by 25 ordinary and 25 extraordinary managers elected from amongst the copartners by a majority at a public meeting to be held on 12th August. The ordinary managers to have full power for carying on the fishing trade, but their resolutions to be alterable by a general meeting of the copartnery, and they are restrained from borrowing money or making calls otherwise than by a joint meeting of managers and extraordinary managers.

(3.) The managers to keep regular books of their actings and proceedings to be laid before the copartners at every general meeting ; which general meetings to have power to change the managers as they shall see cause.

(4.) A fixed general meeting of the copartners to be held at Edinburgh on the third Tuesday of November, yearly, when the managers, cashier, or other officers shall be appointed for the ensuing year.

(5.) The ordinary managers, or any nine of them, forming a quorum, may call a general meeting of the copartners by advertisement in the Edinburgh Courant.

(6.) The place of holding general meetings to be in the burgh room in Edinburgh, and such as shall be present at the hour appointed shall be deemed a quorum.

(7.) A quorum of the ordinary managers may assemble at any time appointed in Edinburgh and transact their business.

¹ A summary only of the articles of the Indenture is here printed.

(8.) The extraordinary managers or any nine of them to meet quarterly on the second Tuesday of November, February, May and August, at the counting house of the copartnery, and review and control the management of the ordinary managers.

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25 July 1720.
Indenture or
contract of
copartnery as
to fishery.

(9.) No copartner now or hereafter assumed to be bound for a greater sum for the use of the copartnery than £3000 sterling, or less than £100 sterling, £100 being deemed one share, and no copartner shall be capable of holding any greater share than corresponds to the £3000 sterling. No copartner shall be chosen a manager who shall not be vested in ten shares or £1000.

(10.) In any dispute as to the right or share of a copartner the expenses incurred by the copartnership to be charged on the share or profits of such copartner.

(11.) No copartner to have power to transfer his share without the consent of the ordinary managers.

(12.) Upon the death of a copartner his heir at law to be entitled to his share.

(13.) The ordinary managers to have power to assume any persons, burgesses freemen of the royal burghs, to be of the copartnership, betwixt and 1st July next, any such assumption being always agreeable to the above cited act of convention, but they are in the first place to assume such as shall be named at a meeting to be held in October next. After 1st July 1721 no copartner to be assumed other than an assignee or successor of a former copartner without the consent of the annual general meeting.

(14.) Every copartner in the election of managers, cashier, or other officers, to have so many votes as he has shares, and may vote by proxy.

(15.) Any copartner neglecting or refusing to pay his proportion of stock to lose his title to be of the copartnership and to forfeit the sum advanced by him.

(16.) At the general meeting to be held on 12th August instant a cashier and secretary to be elected, and the cashier to find caution for £10,000 sterling. One per cent. of the sums agreed to be contributed to be paid to the cashier which shall forthwith be applied by the managers "towards the commencing, carrying on, and prosecuting the ends and purposes of this copartnership."

(17.) The ordinary and fixed officers, such as managers, ordinary and extraordinary, cashier and secretary, to have such salary as shall be fixed at the general meeting to be held in November 1721, or by a subsequent annual general meeting. Other inferior officers to be employed and paid by the ordinary managers as they see cause.

(18.) No dividend of profits to be made without the order of a general meeting.

EDINBURGH.
25 July 1720.
Indenture or
contract of
copartnery as
to fishery.

(19.) As several freemen burgesses of royal burghs who have given in their names are at such a distance as not to have an opportunity to sign this contract it is declared that any partner may take burden for another, provided he binds himself to deliver a deed from the person for whom he takes burden binding himself to the performance of the contract before 15th February 1721.

(20.) The copartners and the managers to be elected to use their "utmost endeavours for obtaining from his Majestie, or the parliament, such encouragements and priviledges by charters of incorporation, letters patent or acts of parliament, as shall be necessary and usefull to cary on the said fishing trade with advantage to the nation;" the managers being empowered to take all reasonable measures for that end, and on such being obtained the copartnership to cease and the respective shares and interests to be proportioned as such grant, or act of parliament shall direct; and in case of no direction then the shares or interests to remain in the same proportions as the copartners have at the time.

[Here follow forms of authority for others to sign contract on behalf of copartners and to vote and transact the business of the copartnery, &c.]

Advertisment
to be given.

2. Resolved that previous to the taking in of any subscriptions "publick advertisement be given in the Edinburgh Evening Currant that the freemen burgesses of the royal burrows who are willing to be concerned in the fishery give in their names and designations with the sums they purpose to sign for," and appointed certain burghs to attend in the burgh room at the hours advertised and present a list at next meeting of committee.

Adjournment.

3. Adjourned meeting till 28th instant.

28 July 1720.

28 July 1720.
Sederunt.

Edinburgh, Ayr, Irving, Renfrew, Dunbar, Crail, Banf, Whithern and Lochmaben, [same representatives as at last general convention, *supra* p. 232]; Dumbarton, Mr George Smollet; Sanquhar, George Irving; Kinghorn, Robert Bruce.

Montrose,
commission.

1. A commission from the burgh of Montrose, nominating Alexander Arbuthnot, late bailie there, to represent the burgh in the committee was received and approved of.

Fishery co-
partnery.

2. The commissioners for the burghs who had attended according to the advertisement ordered by the last sederunt of the committee reported the list of the freemen burgesses of the royal burrows who had offered themselves to be concerned in the copartnary with the sums they were willing to signe for, which being read [was remitted to four burghs for examination and report].

3. The commissioners for the burghs of Montrose, Dumbarton, Dunbar, and Sanquhar reported that pursuant to a remitt of the committee of the sixteen instant they had waited on the lord president of the session and given his lordship a copy of the indenture to be laid before the lords of the session in order to their being of the copartnary, and that his lordship after discoursing the lords thereon was resolved with several others of that honourable bench to be partners in the said fishery.

EDINBURGH.
28 July 1720.
Lord president
and others,
partners.

4. Adjourned meeting till 6th August next.

Adjournment.

6 August 1720.

Edinburgh, Montrose, Selkirk, Renfrew, Dunbar, Crail, Banf, Whithern, Forres, Cullen, Lochmaben, Newgalloway [same representatives as at last general convention, *supra* p. 232]; Dumbarton, Mr George Smollet; Sanquhar, George Irving.

6 August 1720.

1. The commissioners for the burghs of Dunbar, Lochmaben, Sanquhar and Newgalloway, reported they had considered the lists and found the sums proposed to be signed for amounted to a very large capital, in their humble opinion made it necessary to curtail the saids lists, the committee therefore resolve that no communer shall be allowed to signe above tuo thousand pounds sterling, and ordered publick advertisement to be given in the Edinburgh Evening Currant that upon Munday, Tuesday, and Wednesday, the eight, ninth, and tenth days of this instant month of August, from ten to twelve in the forenoon and tuo to six in the afternoon, subscriptions will be taken in at the burrow roome of the freemen burgesses of the royal burrows to the contract of copartnary for carying on the fishing trade, the subscribers at their subscription paying in one per cent of the respective sums signed for, and that a general meeting of the whole partners will be held on Friday next the tuelfth instant at ten a'clock forenoon in order to elect twenty five ordinary and twenty five extraordinary managers, casheer and secretary; and appointed the sums to be received to be laid up each evening in the Bank of Scotland and the treasurers receipt to be got therefore.

Fishing co-
partnership.

2. Adjourned meeting till 10th instant.

Adjournment.

10 August 1720.

EDINBURGH.
10 August
1720.

Sederunt.

Fishing
copartnery.

Edinburgh, Perth, Kirkaldie, Kinghorn, Selkirk, Annan, and New Galloway, [same representatives as at last general convention, *supra* p. 232]; Dumbarton, Mr George Smollet; Sanquhar, George Irving.

1. The committee considering that, notwithstanding attendance has been given upon the days publicly advertised for receiving in subscriptions they have not been able to overtake the list given in to them, they declare they will attend the whole day tomorrow at the burrow roome for receiving in further subscriptions, and in regard it is impracticable to hold a general meeting upon Friday the twelve instant, the committee therefore prorogats the diet for the said general meeting to Tuesday the sixteen instant at ten of the clock forenoon in the parliament house, and appointed the whole partners to give in writing lists of the persons whom they make choise of to be managers ordinary and extraordinary, casheer and secretary; [and it was agreed that attendance should be given in the burgh room at certain times] where all persons concerned may have access to see the lists of the whole adventurers and appointed publick intimation to be made thereof by dispersing printed advertisements through the streets amongst the several subscribers.

Adjournment.

2. Adjourned meeting till 13th instant.

13 August 1720.

Sederunt.

Edinburgh, Perth, Selkirk, Dumbarton, Banf, Whithern, Lochmaben, and Sanquhar, [same representatives as at previous meetings of committee].

Lists to be
printed.

1. The committee considering that the shortness of time will not admitt of printing lists of the whole adventurers against the general meeting, though it is necessary and very much desired by the partners that lists of the several persons who are by the contract of copartnary qualified to be managers, &c., should be printed and given to all concerned, the committee therefore appoints a list of these persons only to be forthwith printed and given out to the several partners as they shall be demanded.

2. Resolved that the committee will attend in the parliament house upon Tuesday next as judges to the election of ordinary and extraordinary managers, casheer and secretary, and ordered the clerks of convention to attend and officiat as clerks to the said election, and recomended to the commissioner for Edinburgh to desire of the magistrats that they would cause care to be taken that the parliament house should be kept for the said general meeting so as the election may proceed orderly and without confusion.

EDINBURGH.
13 August
1720.
Election of
managers.

3. Adjourned meeting till 15th instant.

Adjournment.

15 August 1720.

Edinburgh, Perth, Kirkaldie, Selkirk, Dumbarton, Whithern, Annan, Sederunt. Sanquhar, Newgalloway, Cullen, Lochmaben, and Crail, [same representatives as at previous meetings of the committee].

1. The committee having considered the subscriptions taken in to the contract of copartnary for carying on the fishing trade, and finding that the sums signed for do in all make a great capital stock, and that the committee have received subscriptions beyond the time publicly advertised, they therefore declare they will receive no more subscriptions at this time, and appoints the lord provost of Edinburgh, their preses, to subscribe the scedal annexed to the contract of copartnary.

Subscriptions
closed.

2. Adjourned meeting till 16th instant.

Adjournment.

16 August 1720.

Edinburgh, James Clelland ; Perth, Kinghorn, Selkirk, Dumbarton, Crail, Sederunt. Whithern, Cullen, Banf, Lochmaben, Sanquhar, and Newgalloway, [same representatives as at previous meetings of the committee].

1. In the general meeting of the copartners it was ordered by the committee that the act of convention autherising the copartnary together with the indenture or contract of copartnary itself should be publicly read in presence of the said meeting which was accordingly done, and intimatione being thereafter made that the several partners should deliver in their lists at the bar of the inner house, whither the committee did with-

Managers, &c.

EDINBURGH.
16 August
1720.

Managers, &c.

draw, and the lists being given in, several persons were called by the said committee to witness the examining of the lists, which being all read and the votes calculated in presence of the committee and the other persons called by them, the committee found and declared that John Campbell, esquire, lord provost of Edinburgh [and twenty four others], to be ordinary managers, and Sir John Anstruther, baronet [and twenty others], to be extraordinary managers; and Charles Fall, merchant in Dunbar, to be casheer, and Mr Thomas Pringle, writer to the signet, to be secretary.

Adjournment.

2. Adjourned meeting till 23d instant.

23 August 1720.

Sederunt.

Edinburgh, James Clelland; Perth, Robert Robertson; Dumbarton, Mr George Smollet; Montrose, Colonel Robert Reid; Lochmaben, Sir William Johnston; Sanquhar, George Irving; Newgalloway, John Hog; Craill, John Lumsden.

Meeting of
managers to
be held.

1. The committee appointed the clerks of the royal burrows to call a meeting of the managers, secretary and cashier, on Thursday, 25th inst., at three o'clock afternoon.

25 August 1720.

Meeting of
committee and
managers.

Pursuant to the minute of the last sederunt, the said committee of burrows, with the said managers, ordinary and extraordinary, being met in the burrow roome, the committee did then deliver to the managers the principal indenture or contract of copartnery with a schedul mentioning the names of the proprietars with the respective sums signed for by them annexed thereto, and both subscribed by the adventurers or these having their proxies or such as took burden for them, all ingrossed in a book, as also a book containing the names of the whole copartners alphabetically, with the sums they are engaged for therein, distinguishing these who bind for themselves from these who act by proxie or take burden for others, together with the treasurer of the bank his receipt for the sum of seventeen thousand two hundred forty two pounds, sterling money, being the one per centum of the sum of one million seven hundred and twenty four thousand two hundred pounds, sterling money, as the capital already

signed for, payable to and indorsed by James Clelland, dean of gild of Edinburgh; which papers being accordingly received by the managers present it is resolved by the said committee and managers that they signe this minute for the committee of burrows their exoneration of the premisses.

EDINBURGH.
25 August
1720.
Meeting of
committee and
managers.

3 September 1720.

Edinburgh, James Clelland; Aberden, George Fordice; St Andrews, Sederunt. Patrick Halden; Renfrew, Mr John Cochran; Whithern, John M'Gouan; Crail, John Lumsden; Sanquhar, George Irving; Newgalloway, John Hog.

1. John Campbell, lord provost of Edinburgh, elected preses.

Preses.

2. A representation from the ordinary managers of the copartnary of freemen burgesses for carying on a fishing trade was presented, the tennor whereof followes:—Unto the right honourable the lord provost of Edinburgh and the other members of the committee of the royal burrows, the ordinary managers of the copartnary of freemen burgesses for carying on a fishing trade humbly represent that we have been credibly informed that societies and copartnaries for carying on a fishery or other branches of trade in Scotland without the countenance or concurrence of the royal burrows have been projected at London, one of which we have reasone to believe has proceeded so far as that some persons have come to Scotland with intention to open books and take in subscriptions to the amount of some millions. The prejudice which will arise to trade in general and in particular to our copartnary if such practices shall be allowed to proceed, is obvious, and as by law the priviledge of trade is given to your freemen burgesses exclusive of all others, and all packing and peiling or covering unfreemen in trade is prohibited, we therefor humbly desire your lordship and honours to take this matter under your consideration and to lay down and cause execute such measures [as] will effectually put a stop to the carying on such subscriptions as are not autherised or warranted by you. By order of the managers. *Sic subscribitur*: Tho. Pringle, secretary. Edinburgh, 3d September 1720.

Representa-
tion by
managers as
to fishing
trade.

Resolved that the committee will give directions for prosecuting according to law all persons who shall enter into copartnership for carying on the fishing or other branches of trade in prejudice of the priviledges

EDINBURGH.
3 September
1720.

Representation
by managers
as to fishing
trade.

of the royal burrows. Ordered that a publick advertisement be put into the Edinburgh newspapers of the above resolution in the following terms :—Whereas numbers of eminent merchants, burgesses and freemen, have represented to the committee of royal burrows that contrare to many acts of parliament and other rights and priviledges peculiarly belonging to them, ascertained by the treaty of Union, sundry societies and copartnarys are a forming and some actually formed with large capital stocks for carying on the fishing and other branches of trade in Scotland, also that certain freemen burgesses under their title to trade pretend to cover and protect unfreemen in carying on said branches of trade, which by many laws is condemned under certain penalties and forfaiters praying for redress, therefore the said committee of royal burrows do hereby certiorat that whoever shall have any accession to said unlawfull practices that they will be prosecute conforme to law.

Rights of
royal burghs.

3. The committee subcomitted to the burghs of Edinburgh, St Andrews, Crail, Sanquhar and Newgalloway, for searching into acts of parliament, papers and records, and forming a case in relation to the rights and priviledges of the royal burrows in relation to the prosecuting and judging of unfree traders ; ordered that the said committee do forme a case from the forsaid enquiry and lay the same before his Majesties advocat.

GENERAL CONVENTION *held at* EDINBURGH.

EDINBURGH.
18 October
1720.
Sederunt.

Edinburgh, Robert Wightman and William Livingston ; Perth, Robert Robertson ; Aberden, Robert Stewart ; Stirling, John Don ; Linlithgow, Thomas Ronnald ; St Andrews, Colonel Philip Anstruther ; Glasgow, John Bowman ; Kirkaldie, James Barclay ; Montrose, Colonel Robert Reid ; Couper, John Clark ; Anstruther-Easter, Thomas Nairn ; Dumfreis, William Craik ; Inverness, John Hossack ; Burntisland, Archibald Angus ; Innerkeithing, Henry Cunningham ; Kinghorn, Robert Bruce ; Brechin, John Doig ; Jedburgh, Thomas Ainslie ; Kirkudbright, John Maxuell ; Pittinueem, James Melvil ; Dunfermling, Mr David Walker ; Anstruther-Wester, John Cunningham ; Selkirk, Andrew Wauch ; Dumbarton, Sir James Smollet ; Dunbar, William Fall ; Lanerk, John Russell ; Elgin, Robert Innes ; Peebles, John Stivenson ; Crail, John Lumsden ;

Tain, Hugh Ross; Banf, Mr Andrew Hay; Whithern, John M'Gouan; EDINBURGH.
 Rothsay, George Drummond; Northberwick, Mr Hugh Dalrymple; Cullen, 18 October
 John Philp; Lauder, John Moffat; Kilrenny, Robert Waddell; Annan, Mr 1720.
 George Blair; Lochmaben, Sir William Johnston; Sanquhar, George Irving; Sederunt.
 Newgalloway, John Hog; Dinguall, Colonel Robert Monro; Dornock, David
 Ross; Queensferry, George Hill; Furtrose, Mr Alexander Gordon; Inverarie,
 James Nimmo; Kirkwall, Mr James Traill; [nineteen burghs blank].

18 October 1720.

1. John Campbell, lord provost of Edinburgh, elected preses. Preses.
2. Appointed a committee to revise the commissions. The commissions of Commissions.
 the members of committee were approved of except that from Kirkcudbright,
 which was "found not good with respect to the assessor because the commission
 did not bear him qualified in the terms of the formula."

19 October 1720.

- 3-5. On report by the committee the convention approved of all the com- Commissions
 missions except that of the assessor from Dornock, "the defects found in any of approved.
 the rest being only escapes arising from the inadvertency of the clerks."
6. Remitted the consideration of the missive to a committee. Committee on
missive.

7. A memorial from the managers of the copartnary of freemen Memorial from
managers of
fishing com-
pany.
 burgesses for carying on the fishing trade was read, the tennor whereof
 followes:—October 19, 1720. Unto the right honourable the conven-
 tion of the royal burrows of Scotland, the memorial of the managers of
 the copartnary of your freemen burgesses humbly sheweth, that our co-
 partnary is formed under your protection and upon assurance of all
 encouragement from you, namly of your good offices with his Majestie and
 parliament in obtaining for us such further grants and priviledges as will
 be necessary for promoting so national ane undertaking. That tuo thou-
 sand pounds sterling per annum being settled by a late act of parliament
 for encouragement of the fishing and other branches of trade of Scotland
 and fourten thousand pounds sterling being settled by the treaty of Union
 for encouragement of woollen manufactory thereof, and you being vested
 with the priviledge of trade and in consideration thereof paying the sixth
 part of the land tax your freemen burgesses have the sole undoubted

EDINBURGH.
19 October
1720.

Memorial from
managers of
fishing com-
pany.

title to both these funds which cannot be disposed of more to the benefit of Scotland or in a more diffusive manner to all the subjects thereof as to give it to your copartnary, to be employed according as the King and parliament shall direct ; therefore that you will please to concur and assist us in obtaining thereof. That upon our applying to his Majestie or parliament for further grants and priviledges or upon any other societies riving us (as is informed) the rights of your freemen burgesses probably will be enquired into ; wherefor you'l please give directions that such of your charters, patents and records, as will be necessary to support our priviledges and us in the exercise thereof be got in readyness to be us'd as occasion shall require. That you will please instruct your members seriously to recomend our intrest and concerns to their representatives in parliament and that you will please recomend the same to the other members of both houses. By order of the managers. *Sic subscribitur* : Tho. Pringle, secretary. Which being considered be the convention they remitted the further consideration thereof to the committee appointed to consider the present missive.

21 October 1720.

Commissions
sustained.

8. Sustained commissions from the burghs of Anstruther Wester, Lauder, Dingwall, Inverary and Kirkwall, except as regards the assessor for Kirkwall, he not being qualified in terms of the formula.

Report on
memorial from
managers of
fishing com-
pany.

9. The committee appointed to consider the memorial from the managers of the copartnary of freemen burgesses for carying on a fishing trade reported that they having considered the memorial were of opinion that the convention should use their good offices with his Majestie and parliament for obtaining such grants and priviledges as should be found necessary for promoting the said copartnary and forwarding it's affaires, and particularly that all the members of this convention be instructed seriously to recomend the intrest of the said copartnary to their representatives in parliament and also to any other member of both houses of parliament as they are opportuned ; that the convention declare it to be their humble opinion that the excrescence of the equivalent, being tuo thousand pounds sterling per annum settled by parliament for promoting the fishing trade, &c., cannot be put under better administration than

that of the said copartnary, and impower a proper persone in due time to intimat this their opinion in the proper manner. That directions be given to the clerks to look out and produce such charters, patents, records, or other papers as may be usefull to support the convention in the exercise of their priviledges, and deliver the same or authentick copies thereof to such a persone as the convention shall appoint, to be by him used as occasion shall require. And, lastly, they are of opinion that, not only in order to the conventions useing their good offices for the benefite of the copartnary in the most effectuall manner for intimating their opinion concerning the tuo thousand pounds sterling per annum in the properest way and for lodging the forsaid papers safely and conveniently so as they can be used on proper occasions, but also that the intrest of the royal burrows may be duly taken care of at so criticall a juncture, therefor a deputation be sent to London and a proper persone be pitched upon, autherised and instructed, to manage such matters as may fall in at London concerning the royal burrows during the ensueing session of parliament. Which being considered by the convention they approved of the said report, and in consequence of the last clause thereof did unanimously agree that John Campbel, esqr., present lord provost of Edinburgh, be desired to go to London to take care of the intrest of the royal burrows during the ensueing session of parliament and be autherised and instructed for that effect and allowed to make choise of any member of the convention he shall think fit to go to London with him and assist him as his assessor.

EDINBURGH.
21 October
1720.
Report on
memorial from
managers of
fishing com-
pany.

10. Ordered instructions to be drawn up and given to the lord provost of Edinburgh, and remitted to a committee to prepare the same.

Instructions
to be drawn
up.

11. Ordained the lists of such of the burgesses of royal burrows as are desirous to be admitted into the fishing copartnary to be given in to the committee this afternoon.

Admission to
fishing
copartnery.

22 October 1720.

12. The committee to whom it was remitted to drau the instructions to be given to the lord provost of Edinburgh reported that they had prepared a draught of the said instructions which they gave in at the

Instructions to
lord provost

EDINBURGH.
22 October
1720.

Instructions to
lord provost
of Edinburgh.

table, the tennor whereof followes :—Instructions by the convention of the royal burrows of Scotland to John Campbell, esquire, lord provost of Edinburgh. You are to take journey to London so as to be there on or before the twenty fifth day of November next and to remain at London during the time the parliament sits in order to observe what occurs concerning the royal burrows during the ensueing session and take care of their intrest. You are to oppose by all legal methods and prudent measures any societies or companies obtaining from his Majestie or parliament grants or patents contrary to or derogatory from the rights and priviledges of the royal burrows. Particularly you are to have a watchfull eye on the proceedings of any society that has been or may be erected at London for carying on a fishing trade in Scotland in opposition to our copartnary, and likewise to endeavour to have matters so conducted on occasion of our fishing copartnaries obtaining a patent from the croun as the priviledges of the royal burrows be not thereby infringed. You are nevertheless to concurr with and assist the copartnaries commissioners in obtaining such grants or patents from his Majestie or the parliament as are thought needfull for encouraging the said copartnary, particularly in obtaining a grant or grants whereby the administration and management of the excrescence of equivalent due to Scotland, being tuo thousand pounds sterling per annum, appropriat by parliament for carying on the fishing trade and manufacture, and of the sum of fourteen thousand pounds sterling set apart by the treaty of Union and the act of parliament in the third year of his Majesties reign for incouraging the manufacture of course wool in Scotland, may be put into their hands to be employed conforme to the said treaty and act. And in order thereto you are to make such applications by petition, memorial or otherwise, to his Majestie, to the ministrie, to the treasurie, and to the commissioners for trade and plantations, as may tend to forward these matters, the priviledges of the royal burrows being always solved, and to furnish the copartnaries commissioners with such charters, patents, or other writs and evidents, as you shall receive from the committee of royal burrows, to be used in defending our right and priviledge to erect them into a copartnary. You are to correspond with and from time to time to acquaint the committee appointed by the annual convention to take care of the royal burrows

affaires with what passes of importance in the matters committed to your care. You are to obey such further instructions as you shall at any time receive from them. Which instructions being considered by the convention they approved thereof and appointed an extract thereof to be subscribed by the clerk and delivered to his lordship.

EDINBURGH.
22 October
1720.

Instructions to
lord provost
of Edinburgh.

23 October 1720.

13. Approved of a new commission from the burgh of Coupar.

Coupar.

25 October 1720.

14. The committee appointed to consider the missive, after having subcommitted the receiving in of the lists of such burgesses of the royal burrows as are willing to be adventurers in the fishing copartnary to a committee of their number, with power to revise and restrict the same in such manner as was practised on occasion of the first subscription, and after having heard their report thereupon reported that they have received in all the lists which were offered to them, have revised and restricted them according to the rule before mentioned in such manner that the amount of the said restricted list is found to be the sum of four hundred seventy five thousand eight hundred pounds, which with the sum of one million seven hundred twenty four thousand two hundred pounds formerly subscribed for towards the capital of the said fishing company, brings up the said capital to the sum of two million two hundred thousand pounds. Which being considered by the convention they approved of the committee's procedure and thank't them for their dilligence and trouble and ordered two copies of the said general list to be made out in a fair hand, signed be the preses, one whereof to be delivered to the managers of the fishing copartnary as their rule in admitting subscriptions to the deed of assumption now about to be framed in conformity to the indenture or deed of constitution forming the said copartnary, and the other to remain in the clerks hands. And in regard it may happen that several freemen burgesses may have neglected to desire admittance into the copartnary notwithstanding of the competency of time allowed them, the convention recommends to the managers such persons as shall be mentioned to them by the ordinar annual committee of royal burrows to be admitted in the

Admission to
fishing com-
pany.

EDINBURGH.
25 October
1720.

Admission to
fishing com-
pany.

Petition by
managers as
to meetings.

roum of such other persons contained in the said general list as may happen not to subscribe and pay in their contribution money in due time ; and in respect a competent time is desired betuixt and which the persons so inlisted may be priviledged to subscribe, the convention recomends to the managers to forme the deed of assumption and open the book of subscription with all convenient dilligence, and appoints subscriptions to be taken in betuixt and the first Tuesday of December next and no longer.

15. With reference to the 2d, 4th and 17th articles of the deed of copartnery the convention in answer to a petition of the managers stated their opinion that the managers and officers should continue in office till November 1721.

MEETINGS OF COMMITTEE, *held at* EDINBURGH.

26 October 1720.

EDINBURGH.
26 October
1720.

Sederunt.

Preses.

Burntisland.

Fishing co-
partnersy.

Culross.

Quartering,
coal and
candle.

Allowances.

Edinburgh, Robert Wightman ; Perth, Inverness, Innerkeithing, Brechin, Selkirk, Dunbar, Crail, Banf, Whithern, Lochmaben and Sanquhar, [same representatives as at last general convention, *supra* pp. 254-5].

1. John Campbell, lord provost of Edinburgh, elected preses.

2. The committee having considered the memorial remitted to them by the act of last general convention they appointed the defenders to produce on the first Tuesday of December next a stated account of their intromissions with the revenue of the burgh of Burntisland.

3. Appointed a subcommittee to make up a list of such as should be taken into the fishing copartnery in place of those who should be deficient in their payments."

4. On a petition of several inhabitants of Culross complaining of an illegal election there at Michaelmas last, the convention appointed the persons complained against to appear before them on 3d November to answer the petition, "bringing with them the set of the burgh, their charter of erection and council book, to the end the committee may determine on the said affair."

5. Appointed a subcommittee to frame an overture with respect to the grievance of quartering of officers without payment and furnishing of coal and candle to guards, that it may be an instruction to the preses when in London to apply for a remedy.

6. Appointed the agent to pay to Thomas Chalmers, accomptant in the excise office, £15 sterling, to Thomas Scheill, writer in Edinburgh, £15 sterling, to James Nisbet, teller in the Bank, £5 sterling, and to James Moncur, burgh officer, £3 sterling, "for their extraordinary pains and travail in the affair of the fishery."

7. Resolved that it be an instruction to the lord provost of Edinburgh to obtain a clause in an act of parliament prolonging the time for using herring barrels of the Scots gadge, as the time appointed by act of parliament expires in December next.

EDINBURGH.
26 October
1720.
Herring
barrels.

3 November 1720.

Edinburgh, Innerkeithing, Banf, Whithern, Crail, Northberwick, and Sanquhar [same representatives as at last general convention, supra pp. 254-5].

3 November
1720.
Sederunt.
Preses.

1. John Campbell, lord provost of Edinburgh, elected preses.

2. The committee proceeded to take into their consideration the petition of major Thomas Cochran in his own name and in the name of the majority of the burgesses of Culross, whereof several declared their concurrence in a letter produced with the petition, one of whom bore the office of baillie, complaining of ane undue election in that burgh. Parties were called and compeared, and the defenders produced and delivered in a commissione autherising them to act for the burgh in this matter which was received, and thereafter delivered in a memorial refusing several facts aleadged by the petitioner, observing several informalities therein, and insinuating their doubt if the convention of the royal burrows or their committee had power to cognosce the affair in dispute; and before the committee proceeded to enter into the merits of the cause whil they were only enquiring into the facts, the defenders intimated their resolution by declining the committees jurisdiction, whereupon they were put in mind that the petitioner had not desired the committee should deside judicially in the affair but should only give their advice and direction, and were at the same time acquainted that what the petitioner did was in consequence of and conforme to ane act of the royal burrows in the convention anno j^m vij^c and six calculat for preventing amongst other things the burgesses of royal burrows from going to law with one another concerning elections, which act was read in their hearing; notwithstanding whereof the defenders gave in a signed declinator, the tennor whereof followes:—We the commissioners from the toun of Culross doe hereby in supplement of the generality of the foregoing memorial and answer if any beis decline the authority of the committee of the royal burrows in judgeing the rights of the burgh and

Culross,
election.

EDINBURGH.
3 November
1720.

Culross,
election.

pretended illegality of their election for the reasons in the memorial and others to be added when need requires, but prejudice to us to make our declinator in other terms once the morrow as we shall judge proper. Thereafter the committee being sensible how unpresidented a practise this was and how nearly it touched the vitals of the royal burrows power and privileges, adjourned the consideration of the declinator and what was to be done thereupon till tomorrow at three a'clock afternoon, and ordered the lord advocats opinion as assessor to the royal burrows to be taken thereanent by tuo of their number.

4 November 1720.

4 November
1720.

Sederunt.

Edinburgh, Banf, Whithern, Crail, Sanquhar, Newgalloway [same representatives as at last general convention, supra pp. 254-5]; Dumbarton, Mr George Smollet.

Preses.

1. Robert Wightman, dean of guild of Edinburgh, elected preses.

Culross,
election,
lawyers to be
consulted.

2. The committee taking to consideration the declinator given in by the commissioners from Culross last sederunt, the commissioners from Dumbarton and Sanquhar reported that they had been with the lord advocat on the subject of the said declinator, and after having laid the case before him he declined to give any opinion in writing but said that he thought the royal burrows were not founded in law as to any powers of judging or cognoscing on the validity of elections, neither thought he in prudencē the committee should judge in the present case but leave it to the general convention, and furdur added that the complaint exhibited being at the instance of a gentleman who had never been ane office bearer in the toun, the act of parliament 1693 should determin the burrows to have no regard thereto; whereupon the committee after a full reasoning among themselves agreed to call in the parties, and in case the defenders should desire to withdraw their declinator then to allow the same after censuring and reprimanding them for so unwarrantable and unpresidented a practise, but in case they persisted in their resolution to decline the committees jurisdiction then to adjourn the consideration of the matter to another diet that they might have time to advise with some able lawyer how they ought to proceed so as to act according to law. Accordingly the parties were called in, the defenders having declared

that they insisted upon their declinator the committee adjourned the consideration of that matter till tomorrow at ten a'clock, at which time the parties were ordered to attend, and remitted to the commissioners for Edinburgh and Crail to take the opinion in law of Mr Duncan Forbes, Mr James Graham, Mr Alexander Hay, any of them or any tuo of them, and produce it in writing at the next sederunt.

EDINBURGH.
4 November
1720.
Culross,
election,
lawyers to be
consulted.

3. Recommended the commissioner for Edinburgh to draw up an answer to a letter from Mr Popple, secretary to the commissioners for trade and plantations, concerning the fishing copartnery.

Fishing co-
partnery.

5 November 1720.

Edinburgh, Robert Wightman ; Banf, Mr Andrew Hay ; Crail, John Lumsden ; Sanquhar, George Irving ; Newgalloway (*blank*).

5 November
1720.
Sederunt.
Adjournment.

The committee met and adjourned till Munday at ten a'clock forenoon without doing any bussiness inrespect of the day being the anniversary of Gunpowder Treasone, and ordained the magistrats of Culross to attend against that time.

7 November 1720.

Edinburgh, Robert Wightman ; Innerkeithing, John Cant ; Whithern, John M'Gowan ; Northberwick, Mr Hugh Dalrymple ; Sanquhar, George Irving ; New Gallaway, John Hog.

7 November
1720.
Sederunt.

1. Robert Wightman, dean of guild of Edinburgh, elected preses.

Preses.

2. The commissioners for Edinburgh and Crail reported that they had advised with Mr James Graham and Mr Duncan Forbes, advocats, according to the directions of the committee, and produced a state of the case, tuo queries thereupon, and the lawyers' opinion, which was read and ordered to be recorded, the tennor whereof followes :—Memorial and queries of the committee of the royal burrows. Thomas Cochran, burges and gildbrother of the burgh of Culross, having presented to the convention of the royal burrows, siting *pro re nata* touching the concerns of the fishery, a petition complaining of ane irregular procedure at the last election of magistrats in the burgh of Culross, and praying the advice and direction of the convention touching the affair represented, the said convention transmitted the said petition to the committee of the royal burrows chosen at the annual election for

Memorial and
opinion as to
powers of
convention.

EDINBURGH.
7 November
1720.

Memorial an
opinion as to
powers of con-
vention.

cognoscing of affaires of this nature. The petition being read in the said committee, together with a letter from several others of the burgesses adhering to the same, the committee by their missive transmitted a copy of the petition to the magistrats of Culross for the time acting, and ordered the saids magistrats to appear and make answer against Thursday the third of November instant, and to bring alongst with them their charter of erection, set, and records. The saids magistrats by their commissioners did appear and in answer put in a memorial containing several grounds of defence *pro ut* in the memorial but withal insinuating that the committee of convention was not lawfully impowered to take cognition of such matters, which insinuations the saids commissioners thereafter explained by ane express declinator of the committee and have refused to lay before the committee the vouchers of the facts insisted upon in their forsaid memorial, or their charter of erection, set, or records. *Queritur*, how far have the convention or committee of convention power to cognosce in irregularities which may happen in royal burrows at their elections or otherways, and how far such royal burrows are bound to appear and subject the cognition of such disputs and vouchers which may tend to clear the same to the said convention or committee. *Queritur*, 2^{do}, Upon the refusall of the parties called to subject the cognition of such matters to the committee, how far may the said committee proceed to censure such procedure. By the acts of parliament James 3d parliament 14 chapter 111,¹ and by the act James 6th parliament 19 chapter 6,² the royal burrows are impowered to convene and treat upon the good rule and statutes for the commune profit of burrows and to provide for and remeedy injuries done within burrows, and letters of horning are ordained to pass upon the decreets of convention of burrows tuixt burrow and burgh and burgesses of free burrows. By ane act of the convention 1570, referring to another act in the 114³ it's statute that in all differences betuixt burrow and burrows the same shall be determined by a general convention and every burgh to stand to the said determination without appellatione, which rule and statute has been observed in many instances from that

¹ 1 Oct. 1487.

² 11 August 1607.

³ The original record reads as here printed, but the reference is apparently to the act of convention 25 October 1574. Printed Records, vol. i. pp. 34-35.

time down. By act of the royal burrows anno 1706, entituled act for composing differences and debates, it's ordained that all differences and debates that shall hereafter happen or arise betuixt burghs and burgesses within burghs in relation to the several matters premised in the act, and particularly as to the way and manner of their elections anent their priviledges and incroachments thereon and other publick concerns, be first brought and tabled before them or a committee of their number yearly to be appointed to sit at Edinburgh for that end in order to be composed and agreed by their mediation, and it's declared that whoever shall do in the contrare shall be reckoned disturbers of the peace of the burrows and contemnners of their authority, and shall be fyned and otherwise punished as the convention or committee shall think fitt conforme to law. This last act appears to be founded not only on the act of parliament and acts of convention above mentioned but upon the antient and constant practise downward where the royal burrows have applyed penalties upon such burrows as have done in the contrare by declining to table their disputs and differences before the convention. This being the case, we are of opinion in answer to the first querie that the convention are impowered to take cognisance of debates of the nature above represented, and to call befor them such persons as are complained upon in order to have the saids differences and debates brought and tabled before them to the end to be composed and agreed by their meditatione. To the second we are of opinion that in case parties so called shall refuse or decline to have the saids differences and debates brought and tabled before the committee to the end forsaid, that the said committee may by their act declare the magistrats of Culross acting for the time disturbers of the peace of the burrows and contemnners of the authority of the royal burrows, and likewise fine and americiat the saids magistrats in the usuall fines appointed by the royal burrows in cases of contempt. This is the opinion of (*sic subscribitur*) James Graham, Dun: Forbes. Whereupon the committee resolved to repell the declinator and to declare the present magistrats and toun council of Culross, from whom the defenders are commissioned, disturbers of the peace of the burrows and contemnners of their authority, and ordered them to be summoned full fifteen days before the annual convention in July next to appear before the said convention and answer for

EDINBURGH.
7 November
1720.

Memorial and
opinion as to
powers of
convention.

Procedure
against magi-
strates and
council of
Culross.

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7 November
1720.

Procedure
against magi-
strates and
council of
Culross.

their conduct in this matter, allowed Major Thomas Cochran and his adherents to proceed against the defenders in any manner he shall think fit, and appointed Mr George Smollet, agent to the royal burrows, to concur with and assist the said Major Thomas Cochran and his adherents in the usuall manner ay and untill the facts appear; and in case the facts aleadged by the said Major and his adherents be found true, then to concur with and assist him till the event of the proces but not otherwise. Thereafter the parties being called and John Halkeston, one of the commissioners, compearing for himself and in name of the other commissioners (they having withdrawn themselves and gone home notwithstanding of their being cited *apud acta* to this diet and having promised to make their appearance), the preses by order of the committee acquainted him [of the resolution of the committee].

Letter from
commissioners
of trade and
plantations.

3. The commissioner for the burgh of Edinburgh produced the draught of a letter from the committee to the commissioners for trade and plantations, which was read and approven and ordered to be signed by the lord provost of Edinburgh in name of the committee, and the same together with the said commissioners letter to which it is ane answer appointed to be recorded, of which the tennors follow:—My Lord,—Your lordships letter of the 27th of August past in behalf of the royal burrows of Scotland relating to a copartnership autherised by them for carying on the fishery on that coast, and particularly the taking of herrings in deep water, having been read to my lords commissioners for trade and plantations their lordships commanded me to acknowledge the receipt of your said letter, and to acquaint you that they hope you'll take care this undertaking be caryed on so as to deserve countenance and encouragement from the legislature and not be lyable to the objections to which several of the like nature have been, and their lordships will be very ready to receive such further accounts of your proceedings as your lordships shall be pleased from time to time to transmitt to them. I am, [etc.].

Answer to
letter.

My Lords,—I am directed by the committee of the royal burrows in return to yours of the 27th October to acquaint your lordships that the manager of their fishing copartnary are resolved to govern the copartnary's affaires in such a manner as to deserve the countenance of the legislature, as your lordships have undoubtedly observed by the tennor of

my last. I am furer to acquaint your lordships that the managers have sent five of their number to London to endeavour to obtain such additional powers and priviledges as shall be found usefull for encourageing so good and national a designe. They are directed to wait upon your lordship in order to have your advice and assistance. We presume to recomend them to your countenance and good offices in so far as you shall judge it reasonable and convenient. I am, [etc.].

EDINBURGH.
7 November
1720.
Answer to
letter.

15 November 1720.

Edinburgh, Robert Wightman ; Dumbarton, Mr George Smollet ; Dunbar, Charles Fall ; Whithern, John M'Gouan ; Sanquhar, George Irving ; Newgallaway, John Hog.

15 November
1720.
Sederunt.

1. Robert Wightman, dean of guild of Edinburgh, elected preses.

Preses.

2. The committee ordered a letter to be written to the several royal burrows situated upon the sea coast acquainting them of the circumstances of some forreign countries who are infected with the plague, as also of the precautions taken by the good toun of Edinburgh for their security, and remitted to the dean of gild of Edinburgh, their preses, to prepare and bring in the draught of the said letter.

Precautions
against the
plague.

3. The draught of a letter was presented to the committee, which being read was approven of and ordered to be recorded, whereof the tennor followes :—Much honoured,—This comes to acquaint you that this kingdom is in danger of being infected with the plague from goods being brought or persons coming from any part of the Bay of Biscay, and therefore not only have the lords justices published a proclamation ordering all ships coming from the coasts of France in the said bay to lye quarantain but the magistrats and toun council of Edinburgh have ordered all ships coming within their precincts not only from the coast of France but also from the coast of Spain in the Bay of Biscay to lye quarantain, and have discharged the importation of wine covered with linning and straw and all bale goods, such as cloath, paper, silks, &c., as appears from the inclosed advertisement. You are hereby informed of the measures taken by the government and city of Edinburgh in order to put you upon your guard that you may take the like course for your safty,

Letter to the
sea coast
burghs.

EDINBURGH.
15 November
1720.

and publish your resolutions from the pulpit of your churches, or in any other manner you think will best answer the end. We bid you heartily farewell, and remain, &c.

Assistance to
lord provost in
London.

4. The preses acquainted the committee that the lord provost of Edinburgh had named Mr George Irving, commissioner for the burgh of Sanquhar, to assist him in the burrows affaires at London.

17 November 1720.

17 November
1720.
Sederunt.

Edinburgh, Robert Wightman ; Disart, [*blank*] ; Whithern, John M'Gouan ; Banf, Mr Andrew Hay ; Rothsay, George Drummond ; Sanquhar, George Irving ; Newgalloway, John Hog.

Preses.

1. Robert Wightman, dean of guild of Edinburgh, elected preses.

Plague in
Isle of Man.

2. The committee, in respect of the melancholy accounts they have from Glasgow and several other burrows of the plagues being in the Isle of Man, think fit to writ to the several burrows on the sea coast that they may use all precautions to prevent it's being brought into this country by landing of men and running of goods upon the coast, and recommended to their preses to bring in the draught of a letter.

Letter to
royal burghs
and relative
papers as to
pestilence.

3. The draught of a letter was presented to the committee with a copy of the 57 act 13 parliament James 2d and a clause of the 38 act of the parliament 1661, with a chapter annexed thereto concerning the pestilence out of the book called Daltons Country Justice, which being read were approven of and appointed to be recorded, and the committee recommended to their preses to sign the said letter, the tenor whereof follows:—Much honoured,—We wrote you a letter dated the 16th instant, acquainting you of the measures which the lords justices have taken to prevent the plagues being brought into this kingdom, and which the council of Edinburgh have used to hinder it's coming into their liberties by infected persons or goods coming from the Mediterranean, or from the places situated in the Bay of Biscay. We now acquaint you that the same precautions are to be used as to persons and goods coming from the Isles of Guernsey and Jersey and from the Isle of Man. The magistrats of Edinburgh having yesterday received by an express the alarming account of the plagues having got footing so near us as the Isle of Man, by means (as is said) of a ship from Marseilles, we think it our

duty to apprise you of the imminency of the danger, and that you may know what powers you have to execute such good regulations as you shall think reasonable to make in this exigency we inclose you a copy of the 57 act parliament James 2d, and of a clause in the 38 act of the parliament 1661, and that you may likewise see what the practice is in England in such cases and how it is founded, you have thereto annexed a chapter out of the book called Daltons Country Justice. We know we need not urge you to dilligence in this matter ; your oun preservation and safty of your country are motives so strong and so obvious that they need not be inforced. We choose rather to suggest to you such methods as have a reasonable prospect of being successfull. They are that publick notice be given in the churches by a paper read from the pulpit, in the market place by a proclamation, and by affixing advertisements in the usual places, intimating the danger this kingdom is in of being infected with the plague by persons or goods coming from any of the places before mentioned, and warning all persons not to correspond with, far less admitt into their houses or company, any persone coming from forreigne countries unless he be allowed by you or by the justices of peace neither to assist in bringing ashoar, much less receive into their custody, any goods whatsoever clandistinly imported, on pain of being punished with the utmost severity according to law. That no vagabounds or persons who cannot give account of themselves, be allowed to pass from place to place without passes, and such as are suspected of having come ashoar from aboard a suspected ship be shut up in manner aftermentioned. That a convenient place or places be appointed for lodging persons who are to lye quaraintain, and for airing goods suspected of infection ; and all persons or goods coming from aboard such ships be lodged and aired respectively in the said places. And in case any person shall presume clandestinely to come ashoar that the boat wherein he comes be burnt, and he himself stript of all his cloaths, and put into the place appointed for quaraintain after you have burnt his own cloths and given him clean ones, there to remain and be maintained for fourty days. That a convenient place be provided for ships to lye quaraintain in, and measures taken to furnish them with necessary provisions, by laying them down in a convenient place on the shoar whence

EDINBURGH.
17 November
1720.

Letter to
royal burghs
and relative
papers as to
pestilence.

EDINBURGH.
17 November
1720.

Letter to
royal burghs
and relative
papers as to
pestilence.

they themselves are to bring them aboard in the day time, and after the quarintain is expired, if the crew is then found healthful that they be surveyed by a phisician or chirurgian before they be allowed to come ashoar, and if found healthful that a bill of health be given them signed by a magistrat and by the said phisician or chirurgian. That due precautions be taken to prevent any persons coming ashoar in day or night time, or any goods being brought on shoar, by appointing proper persons and a competent number of them, to watch in the day time and patrol in the night time when there is the least danger of persons or goods coming ashoar from suspected ships. That you appoint provisions to be furnished to persons lying quarintain either on shipboard or shoar at reasonable rates, and where the persons are not able to maintain themselves that they be maintained at the expence of the inhabitants of the burgh and of the adjacent country whom you may and ought to assess for that purpose. We likewise hint to you that it may be expedient to search your records for discovering the procedure of your predecessors in the like case and to record this letter with the inclosed paper. We recomend you to the Divine protection and bidding you heartily farewell, we remain, much honoured, your loving friends and neighbours. By appointment of the committee of the royal burrows, *sic subscribitur*: Robert Wightman, preses. Edinburgh, 19 November, 1720. P.S. 22nd November. We are glad to find the alarm about the pestilence being in the Isle of Man begins to abate.

[Here follow clauses from acts of parliament 19 October 1456, cap. 6,* and 9 July 1661, cap 338,† and Dalton's Country Justice, chap. lxxii. v. 39.]

6 December 1720.

6 December
1720.
Sederunt.

Edinburgh, Robert Wightman; Dumbarton, Mr George Smollet; Crail, John Lumsden; Northberwick, Mr Hugh Dalrymple; Newgalloway, John Hog; Sanquhar, George Irving.

Preses.

Burntisland.

1. Robert Wightman, dean of guild of Edinburgh, elected preses.
2. Bailie Angus, of Burntisland, and the other persons mentioned in the 2 act of convention, dated 26th October last, not having appeared, they were ordered to be cited to appear on the third Tuesday of January, "with certifica-

* Acts of the Scottish Parliament, vol. ii. p. 46.

† Ibid. vol. vii. p. 308.

tionne they will be holden as confest as to the imbaslement of the revenue of the said burgh and proceeded against accordingly, unless they compear and show cause in the contrare.”

EDINBURGH.
6 December
1720.

4. Appointed the agent to pay James M'Ewen £17, 11s. 3d. sterling, for printing in the affair of the fishery.

Printing,
fishery.

16 January 1721.

Edinburgh, George Drummond and William Livingston ; Montrose, Col. Robert Reid ; Dumbarton, Mr George Smollet ; Crail, John Lumsden ; Cullen, Mr John Philp.

16 January
1721.
Sederunt.

1. There was presented and received a commission from Edinburgh to George Drummond, merchant, during absence of their commissioner now in London.

Edinburgh.

2. Elected George Drummond, commissioner for Edinburgh, to be preses.

Preses.

3. The commissioner for Edinburgh presented to the committee a letter from the lord provost of Edinburgh to them, bearing date at London the tenth day of January instant, anent the progress made by him in the affairs of the royal burrows charged in his commission, wherein was inclosed ane copy of the case of the copartnary of the royal burrows delivered with ane proper petition to his Majestie, with ane memorial for the royal burrows anent quartering and furnishing of coal and candel to the guard houses and hospitals. The copy of the case they appointed Dumbarton and Crail to lay before the managers of the fishery and the memorial and letter to lye in the clerks hands ; and recomended to their preses in their name to writ to the lord provost ane answer of thanks for his care in the burrows affairs, and appointed their clerks to transmitt to the burghs of Perth, Dundie, Aberdeen, Stirling, Linlithgow, Glasgow, Hadingtoun, Montrose, Inverness, Jedburgh, Dunbar, Elgin, Banf and Lauder, circular letters acquainting them who have claims for coal and candel not discharged, without lose of time to transmitt their claims to the lord provost with proper vouchers, that is either certificats from the commanding officer bearing the same to be due or a protest against him for not granting such a certificat, to the effect his lordship may apply to get payment.

Letter from
lord provost,
affairs of
burghs.

17 January 1721.

EDINBURGH.
17 January
1721.
Sederunt.
Preses.
Burntisland.

Edinburgh, John Wightman; Montrose, Colonel Robert Reid; Dumbarton, Mr George Smollet; Crail, John Lumsden; Cullen, Mr John Philp; Newgalloway, John Hog.

1. John Wightman, one of the bailies of Edinburgh, elected preses.
2. Anent the management of the revenues of Burntisland the defenders gave in an account of their intromissions, and the affair was remitted to a subcommittee for examination and report.

3 July 1721.

3 July 1721.
Sederunt.
Preses.
Burntisland.

Edinburgh, George Drummond; Perth, Robert Robertson; Selkirk, Andrew Wauch; Crail, John Lumsden; Whithern, John M'Gowan; Northberwick, Mr Hugh Dalrymple; Sanquhar, George Irving.

1. George Drummond, commissioner for Edinburgh, elected preses.
2. Anent the management of the revenue of Burntisland both parties having failed to give in a distinct account of their differences as required, the committee remitted the consideration of the whole affair to next annual convention.

GENERAL CONVENTION *held at* EDINBURGH.

EDINBURGH.
4 July 1721.
Sederunt.

Edinburgh, Robert Wightman and William Livingston; Perth, Robert Robertson; Dundie, David Jameson; Aberdeen, Robert Steuart; Stirling, James Russell; Linlithgow, Thomas Ronald; St Andrews, Robert Donaldson; Glasgow, John Stirling; Ayr, Robert Moor; Hadingtoun, John Begbie; Disart, David Reddie; Kirkaldie, Mr James White; Montrose, Colonel Robert Reid; Couper, William Rigg; Anstruther-Easter, Thomas Nairn; Dumfreis, William Craik; Inverness, Mr Duncan Forbes; Innerkeithing, Henry Cunningham; Kinghorn, Robert Bruce; Irving, William M'Taggat; Jedburgh, Robert Richardson; Kirkudbright, John Maxuell; Wigton, David Mackie; Pittinueem, James Melvill; Dunfermling, Mr John Walker; Anstruther-Wester, John Cunningham; Selkirk, Andrew Wauch; Dumbarton, Sir James Smollet; Renfrew, Mr John Cochran; Dunbar, Charles Fall; Lanerk, John Russell; Elgin, James Innes; Peebles, John Stevenson; Crail, John Lumsden; Culross, John Halkerston; Banf, Mr Andrew Hay; Whithern, John M'Gouan; Rothsay, George Drummond; Nairn, Hugh Ross; Forres, Robert Urquhart; Ruthglen, David Scott; Northberwick, Mr Hugh Dalrymple; Cullen, John Philp; Lauder, John Moffat;

Lochmaben, Sir William Johnston ; Sanquhar, George Irving ; Newgalloway, EDINBURGH.
John Hog ; Queensferry, George Hill ; Inverarie, James Nimmo ; (seventeen 4 July 1721.
burghs *blank*). Sederunt.

4 July 1721.

1. John Wightman, one of the bailies of Edinburgh, elected preses. Preses.
2. Appointed a committee to revise the commissions. Commissions

5 July 1721.

3, 4. Commissions approved of except that from Culross "the consideration whereof they delayed both in so far as their commissioner was clerk of the said burgh, as also that he had openly declined the jurisdiction of the committee of the royal burrows in the affair of the said burgh remitted to them by the convention." Commissions approved.

5. Having heard a memorial from Robert Dundas, his Majesty's advocate, the convention desired the committee appointed by last annual convention to lay before them an account of their procedure in so far as relates to the memorial. Memorial, his majesty's advocate.

6. Remitted to the commissioners for Perth and Rothsay to bring in a draught answer to a letter from the lord provost of Edinburgh. Letter from lord provost.

7. Remitted to a committee consideration of the general missive. Missive.

8. Appointed the agent to give in his accounts. Accompts.

6 July 1721.

9. On report by the committee the convention appointed certain heads and articles of the missive to be continued in next annual missive. Heads and articles of missive.

9A. The convention taking to their serious consideration how necessar it is that there be ane uniformity both in the standard of the reel of the worsted yarn and tale thereof in order to prevent frauds and abuses often complained of, and having considered the several acts of parliament relative thereto with the acts of some particular shires and burghs in relation to the same, do therefor statut and ordain that in time coming reels for the worsted yarn, spun, reel'd and vended within any of the royal burrows, shall be conforme to the following standard, to witt, the short reel be one quarter long, one elu about, have six score threeds in every cut, three cuts to the hank, and eight hanks in the spindle; and the long Standard of the reel.

EDINBURGH.
6 July 1721.
Standard of
the reel.

reel be half eln long, tuo elns about, having six scor threeds in the cut, six cuts to the hank, and eight hanks in the spindle, and that in case any worsted yarn shall be imported for sale to any royal burrow from the country and be not conforme to this present standard, then the seller shall be obliged to declare to the buyer the standard by which he sells the same; and in case the measure and tale shall not be found conforme to one of these standards the worsted shall be confiscat to the informer and the vender otherwise punished conforme to law; and recomends to the several royal burrows to correspond with the sherrifs and justices of the peace in the particular shires that this act may be made effectuall; and ordains this act to be printed and copies thereof transmitted to each of the royal burrows, and they to report their dilligence against the next annual convention, and this to be a head of the next annual missive; which report being considered by the convention they approved of the same.

Commission.
Committee,
burghs' con-
cerns, London.

10. Approved of commission from the burgh of Jedburgh.

11. Added ten members to the committee appointed to answer letter from the lord provost of Edinburgh, "and recomends to the said committee to receive report from the commissioner from the burgh of Sanquhar of what was transacted at London in the royal burrows concerns, and consider what ells may be necessar to lay before the convention in relation thereto."

Dundie.

12. Recommended the several burghs to write their representatives in parliament to assist the burgh of Dundee in procuring a new gift of two pence on the pint of ale, and the committee which is to sit after this convention to give their advice and countenance on that affair.

Crail.

13. Appointed the clerks "to search for the report of the visitors of the burgh of Crail against next meeting."

Irving.

14. Remitted a memorial by the burgh of Irving to the committee appointed by the 6th and 11th acts.

Couper.

15. Appointed the magistrates and council of Couper to answer by Monday next a petition to the convention from several of the burghesses.

Accompts.

16. Accounts produced and appointed to lie on the table for perusal.

Committee's
procedure
approven
anent his
Majestie's
advocats'
memorial.

17. The convention having taken to their consideration the memorial from his Majesties advocat and ane account of the procedur of the committee appointed by the last annual convention in so far as relates to the said memorial, as also having heard from the records of the

royal burrows the whole procedure of the committee in relation to the burgh of Culross, with ane petition from Major Cochran to the said committee and letters from several members of the council of the said burgh, with the answers to the said petition from the magistrats of the said burgh, as also the disclamation of Major Cochrans petition by several of the inhabitants of the said burgh of Culross, with the act of the royal burrows in July j^m vij^c and six for composing of differences amongst the royal burrows; all which being read and considered by the convention they approved of the committees procedure in the said affair.

EDINBURGH.
6 July 1721. —
Committee's
procedure
approven
anent his
majestie's
advocats'
memorial.

18. The convention having heard the commission from the burgh of Culross with the report of the committee thereanent, and the commissioner for the said burgh and John Buchanan, one of the present baillies thereof, who produced a commission from the said burgh, having declared that they were not only willing to withdraw any declinator they had given in to the committee of the royal burrows but also asked pardon for having declined their jurisdiction, being obliged to act conforme to advice of their lawiers; which being considered by the convention they accepted of their submission and acknowledgment and approved of the said commission and received the said commissioner as a member of the royal burrows, notwithstanding of any sentence past against them by the annual committee, and reponed the said burgh against the said sentence, and discharged the agent to concur in any proces of declarator intended against the present magistrats of the said burgh, and that upon the saids commissioners signing their passing from the said declinatur formerly given in by them to the committee which they hereby do accordingly.

Culross, sub-
mission and
acknowledge-
ment accepted
of.

7 July 1721.

19. The committee appointed to draw up ane answer to the lord provost of Edinburgh's letter and receive a report of what was transacted of the royal burrows affairs at London and consider what else was necessary to be laid before the convention in relation thereto, having met and heard a report from the said lord provost and his assessor concerning the matters committed to them by the last convention, the tennor wherof followes:—

Report by lord
provost of
Edinburgh.

EDINBURGH.

7 July 1721.

Report by lord
provost of
Edinburgh.

That agreeable to your order they repaired to London conforme to your instructions given them, concurred with the commissioners sent by your fishing copartnary in soliciting a charter, and for that end a petition was laid befor his Majestie and was referred to the council and by them referred to the attorney general and his Majesties advocat. That a caveat being entered against the petition by persons who designed themselves members of the royal fishery of England the copartnary by council were heard befor his Majesties lawiers, and the gentlemen who entered the caveat, being sensible that it behoved to be found that they had no tittle or pretensions for stoping the charter, withdrew their caveat. That the South Sea Company, by act of parliament having tittle to a charter for fishing upon a capital of ane hundred thousand pounds sterling, in course your copartnary's petition behoved to be notified to them, and being done their court of directors by a missive to his Majesties lawiers signified that they were not to oppose the charter, only before passing desired a sight of the draught thereof. That the allegations in the petition from your copartnary were made out in commone forme and were under the consideration of his Majesties lawiers and they have given their opinion thereon which is thought to be fair and just and noways unfavourable to you or your copartnary. That the draught of a charter is formed and ready how soon his Majestie shall be graciously pleased to give order for it and for which assurance has been given that it will be granted and a draught of it is lying befor you which you will find is noways derogatory to your rights and priviledges. That agreeable to their instructions they conducted themselves in these matters in advising with your friends and representatives in parliament and that it was thought not expedient to make any application to parliament either for procuring the tuo thousand pounds per annum or for any other end or purpose concerning your copartnary till his Majesties royal pleasure was known anent the charter.

That for remeeding the grievances complained of concerning your furnishing coal and candle to guards and garisons, concerning the establishing a fare to be payed by his Majesties troops for horses furnisht to them and for passage at ferries, and to have it on a equal footing as in South Britain, application was made unto his Majestie and he was

graciously pleased to order the commander in chief in Scotland to issue a circular letter ordaining payment of coal and candle for the future, and the officers to behave themselves civilly in their quarters or otherwise to be removeable to other quarters by the magistrats of the place,—a copy of which is lying before you. That on perusall of ane act of parliament of Scotland *in anno* 1693 the fare for horses stands settled on a equal footing and that the fare of ferries is settled by a clause in a British act of parliament. That the accompts of areers due for coal and candle sent from several of your number were received and application was made in due course for payment but with little success, the fund being drawn out by the debtors there remained only a personall action against them, and if that you please to commence the same a joynt measure for all will be most effectuall.

EDINBURGH.
7 July 1721.
Report by lord
provost of
Edinburgh.

That a petition from the merchants in Yarmouth being presented to the honorabill house of commons praying that their red herrings for home consumpt might be duty free and twenty pence settled on each barrell in place of the duty on salt, your members of parliament were duly apprised to have the same priviledge extended to you, and likewise to have insisted to have the same priviledge extended to white herrings for home consumpt by settling a duty on each barrell proportionable to the other so that you might have the benefite of the London market, and application was made to the treasury for this purpose and by them referred to the commissioners of the salt duty and by them referred to the commissioners of customes here, but the Yarmouth bill being dropt this session of parliament nothing more was done.

That two clauses for ane act of parliament being sent from the commissioners of the customes here to the lords of the treasury, one for explaining some doubts and difficulties arising upon the act for retring the credit of the British fishery and the other for preventing frauds in the duty on Scots salt, copies of both were procured, and the first being only your concern your members were apprised of it and a clause more equall for you was ready to have been offered, but nothing ensued thereon this session. The other being only the concern of the salt masters some of them were apprised thereof.

That the application for settling the table of fees was renewed, but

EDINBURGH.
7 July 1721.

Report by lord
provost of
Edinburgh.

the signed table being mislaid in the treasury office all that could be done in it was to procure an order from the lords of treasury to the commissioners of customs here appointing them to signe another table with any that you shall deput for that purpose.

That there were no few surmises that applications were to be made for charters of incorporation for carying on trade here, but none being made they do not trouble you with the history thereof.

[The convention, on the recommendation of the committee, approved of the report and ordered payment to the lord provost of 500 guineas and to his assessor of 200 guineas for defraying their charges.]

Answer to lord
provost of
Edinburgh's
letter.

Agent's
accounpts.

Crail.

Duke of
Hamilton,
Borrowstoun-
ness.

Complaint,
Kirkaldie.

Burntisland.

Nairne.

20. The committee gave in the draught of an answer to the lord provost of Edinburgh's letter, expressing gratification with his services in the affairs of the burghs ; which letter the convention approved of and ordered to be transmitted.

21. Appointed a committee to consider the agent's accounts and report.

22. Continued the article anent the visitation of Crail to be a head of next missive.

23. Remitted to the committee appointed by the 21st act to draw up an answer to a letter from the Duke of Hamilton and Brandon, and to consider a petition from the town of Borrowstounness relative thereto.

24. Having heard a petition from several burgesses of Kirkaldie complaining of illegal practices of the magistrates the commissioners ordained the parties in case they are willing to submit the differences to the convention to appear on Monday next with powers to that effect.

25. Anent the complaint regarding the management of the revenues of Burntisland the convention appointed the complainers and defenders to appear before them on Monday next.

26. Appointed the burghs of Inverness, Elgin and Forres to visit the burgh of Nairne and report.

10 July 1721.

Agent's
accounpts.

27. In the agent's accounts from 1st July 1720 to 1st July 1721 he charges himself with £12,000 of missive dues with £2,863, 6s. 9d. received from the unfree towns of Leven, Kilmarnock, Dalkeith, Prestonpans, Stonhvie, Greenock and Elie, and the balance due by the agent at last accounting, and discharges himself with £13,960, 11s. 2d. and there is left due by him a balance of £902, 15s. 3d. ; all Scots money. Among the items of discharge are—

To the gardener of Heriots yards,	.	.	£12	0	0
To tavern bills,	.	.	586	14	0

To different parties for quartering upon the unfree traders,	£60	0	0	EDINBURGH.
To Catharin Sibbald, relict of George Comrie, wright in Edinburgh, for the maintenance and funeral charges of Laurance Wallace who died in November 1720,	40	0	0	10 July 1721.
To a consultation to Mr James Graham and Mr Duncan Forbes upon the toun of Culross declinator, and their servants,	59	8	0	Agent's accompts.
To another consultation to the said two lawiers upon queries and answers which were sent up to London, and their servants,	59	8	0	
To James Moncur, per account, for summonding the magistrats of Burntisland and Culross tuo severall times and circular letters to the sea cost touns anent the plague,	72	0	0	
28. Having considered petition from the town of Borrowstounness the convention empowered the agent to exact from them for unfree trade at the rate of 6s. of the tax roll for bygones and 7s. in time coming, the agent assigning them to the unfree trade of Grangepanns from this time.				Borrowstounness eased.

29. The convention approved the draught of [the following letter to be sent to the duke of Hamilton]:—May it please your grace,—We have the honour of your graces concerning the case of your burgh of Borrowstounness. Please know our quota of the land tax is fixed, and for our relief from the burghs of barrony and regality we are to have a tenth part of the sums we are taxed in upon consideration of our communicating the priviledge of trade to them. We don't recover a fifth of what these burghs are lyable in and our other burdens are so heavy upon us that it is with difficulty we can make our quota good. However out of regard we bear to your grace we have compromised that affair with Borrowstounness to their own contentment. We are proud of the complements your grace has been pleased to make us, we having high esteem for your favour and friendship, and we will be fond of any opportunity to shew how much we are, [etc.].

Letter to the Duke of Hamilton.

30. Approved of commission from the burgh of Couper.

Couper.

31. On report of the committee on the agents accounts the convention remitted to the committee which is to sit after dissolving of this convention to make up and present to next convention a clear and distinct state of the unfree trade and to consider how far annualrent is to be allowed to the agent for

Anent agent's accounts, unfree trade.

EDINBURGH.
10 July 1721.
Anent agent's
accounts,
unfree trade.

advances. "And discharges the agent for hereafter to bring any tavern bills to the convention." "And appoints him for hereafter to be particular as to the incident charges given up be him as far as is possible." The overture for lessening the annual expense was delayed till particulars come to be stated in the books.

Couper, com-
plaint.

32. Remitted to a committee to enquire into the facts contained in a petition of certain burgesses against the magistrates of Couper with answers thereto.

11 July 1721.

Report on
petition
against magis-
trates of
Couper.

33. The committee [appointed by the 32d act] reported that by the declarations of severall persons taken by them it appears in the first place that baillie Horsburgh, Mr Oliphant, John Imrie and John Annan, were not traders nor stented in the burgh of Couper till June last, and Major Hay and Mr Leslie do not reside there as yet, and that Naughton has his principall residence in the country but has tuo or three rooms taken in the toun of Couper furnished by himself where he resides tuo or three nights sometimes in the week and his lady and daughters sometimes stay with him there. It also appears that James Jamison, deacon of the shoemakers there, the night before the last election of the magistrats, was attacked by Naughton elder, with a drawn sword, under cloud of night, who dragged him down the streets and gript him by the throat himself till he was rescued by others. And further that John Clark, then dean of gild, did on the morning of that day upon which the deacons were elected, by violence cary off William Hunter, tayler, and keep him close in a room till the election was over, and that severall bribes were offered to influence the said election. It also appears to the committee that Thomas Davidson, maltman, was expelled the council of Couper for no other reasone but that he would not go in to my lord Rothes his measures. A schedul under the hand of Mr Hay, factor for the earle of Rothes, is produced to instruct this over and above the declarations adduced. And further that the said Davidson was forced to flee the toun and hide himself in a malt girnall upon the said occasion. Which report having been read in convention the commissioner for the burgh of Aberdeen protested that no regard ought to be had to the declarations adduced in regard they were parties; . . . to whom the commissioners for

Dundie and Montrose adhered. And the convention proceeding to take the said report to their consideration, and the set of the said burgh of Couper and merits of their election being read, before they proceeded to the vote the convention declared that they did not intermeddle in anything that concerned the earle of Rothes. [Thereafter the convention by a majority resolved to concur with the complainers, and to expend a sum not exceeding £25 sterling in the process.]

EDINBURGH.
11 July 1721.
Report on
petition
against magi-
strates of
Couper.

34. Remitted to a committee petition from the burgh of Pittinueem anent a measure by which herrings ought to be sold.

Pittinueem
herrings.

35. Anent the petition against the magistrates and council of Kirkaldie, both parties being willing to refer the same to the convention they appointed a submission to be entered into and remitted to a committee to consider the affair and report.

Kirkaldie.

12 July 1721.

36. The convention appointed a proposal for selling fresh herrings by measure and not by tale to be a head of next missive. It is stated there was a measure containing 66 pints used in the Murray Firth and adjacent coasts which was agreeable to the west country burghs, and a measure reckoned to contain 40 pints, five fillings of which commonly pass for a thousand herrings, which is agreeable to those in the Firth of Forth.

Anent selling
herrings by
measure.

37. In consequence of frequent complaints of want of a uniform measure in retailing lint seed, the convention "ordained that in all time coming lint seed shall be sold in the royal burrows by the Linlithgow measure stracked and by no other measure."

Lint seed
measure.

38. The commissioner for Aberdeen gave in a protestation taken by him as mentioned in the 33d act and reasons therefor, and the commissioner for Dundee also wished to give in a protestation but was not allowed in regard it was not taken at the time.

Protestations
by Aberdeen
and Dundee.

39. The committee appointed to consider the petition against the magistrates of Kirkaldie reported that there was nothing produced to instruct the allegations therein contained ; but as the petitioners alleged that the decree arbitral in 1656 and declarators in 1672 and 1715 were in the present magistrates' hands and would verify their statements, the convention directed the papers to be searched for, and if found notarial copies to be laid before the committee which is to sit after this convention.

Kirkaldie.

40. Having heard report as to the complaint against the magistrates of Burntisland. Burntisland, with a memorial craving a new set to be appointed for the burgh, the convention remitted to the committee which is to sit after this convention to

EDINBURGH. bring the matter to a formal determination and to prepare a new set and to
 12 July 1721. submit it to next annual convention for approbation.
 Burntisland.

Letter, his
 majesty's
 advocat to the
 convention.

41. The preses [presented the following letter from the lord advocate to him]:—Edinburgh, 11th July j^m vij^c and twenty one. Sir,—I give you the trouble of this as preses of the conventioun of burrows that you may let them know that altho' I am very sensible of the honour they did me in making choise of me for their assessor, and altho' I have all due regard to the royal burrows and shall be glad of ane opportunity to show my inclinations to serve their just intrrests, yet when the proceedings of their convention and committees which they are pleased to appoint are in my humble oppinion contrary to law and beyond their powers and such as I apprehend may prove dangerous to the liberties of all the royal burrows, one excepted, I hope I will be forgiven to divest myself of any name or character which the convention may think should lay me under a restraint as to the opposing such actings, and that therefore I am to continue their assessor no longer. I should be sorry to see the just intrrest of the burrows suffer by the over acting of particular persons from privat interested views, but at the same time am surprised that the severall burghs do not see that the natural tendency of such proceedings is to subject their rights and properties to the absolut determination of a few men in one particular toun. I wish they do not see their mistake when it is too late. I am, [etc.] *Sic subscribitur*: RO. DUNDAS. Which being considered by the convention they accepted of the said demission.

Inverness. 42. Appointed a committee to visit and report on the condition of the burgh of Inverness.

Inverness, drawback on
 salmond. 43. The burgh of Inverness having represented that "no drawbacks were allowed upon salmond exported after 24th June 1719 albeit the same were cured with foreign salt and bonds granted for the excise thereof with quich the same was cured and that these bonds are going to be exchequered," the convention appointed a committee to concur with Inverness in procuring a sist of execution from the exchequer till farther application be made to parliament.

Committee
 appointed. 44. Appointed a committee to sit after the dissolving of this convention to consider what is remitted to them and everything relating to trade, unfree traders, the staple port, and any differences amongst the royal burghs.

45. Appointed the agent to pay certain salaries and gratuities, and amongst others, "to Allan Ramsay ten pounds sterling of gratuity for writing a poem upon the fishing company and dedicating the same to the royal burrows."¹
46. Dissolved the present meeting, and appointed next annual convention to meet at Edinburgh on the first Tuesday of July 1722.

EDINBURGH.
12 July 1721.
Salaries and
gratuities.
Convention
dissolved.

MEETINGS OF COMMITTEE *held at* EDINBURGH.

2 August 1721.

Edinburgh, William Livingston ; Rothsay, George Drummond ; Sanquhar, George Irving ; Newgalloway, John Hog ; Inverarie, James Nimmo.

2 August 1721.
Sederunt.

1. John Wightman, one of the bailies of Edinburgh, elected preses.

Preses.

2. At the desire of the petitioners in the complaint against the magistrates of Kirkaldie the committee granted warrant to cite witnesses to prove the allegations in the petition and complaint.

Kirkaldie.

8 August 1721.

Edinburgh, John Wightman and William Livingston ; Linlithgow, Thomas Ronald ; Inverness, Mr Duncan Forbes ; Innerkeithing, John Cant ; Banf, Mr Andrew Hay ; Whithern, John M'Gouan ; Rothsay, George Drummond ; Sanquhar, George Irving ; Newgalloway, John Hog ; Queensferry, George Hill ; Inverarie, James Nimmo.

8 August 1721.
Sederunt.

1. John Wightman, one of the bailies of Edinburgh, elected preses.

Preses.

2. The petitioners against the magistrates of Kirkaldie produced a notarial copy of the decreet arbitral or set of the burgh pronounced by John Earl of Rothes in 1656, and the provost of Kirkaldie owned it to be true and was to stand to it as such.

Kirkaldie.

3. The committee having considered the petition by James Oswald of Dinnykeir and several others against the magistrates of Kirkaldie, with answers thereto and whole state of the affair, before answer allowed the petitioners to prove (1) the qualification of guild brethren and councillors (reserving the allegation of the defenders that it had gone into desuetude), (2) the convener being in use to present a leet of three trades councillors and the council receiving the same, (3) the corporation being in use annually previous to the election of magistrates to choose new deacons, and (4) the custom of choosing the dean of guild out of a leet of three.

Complaint
against magis-
trate of
Kirkaldie.

¹ The title of the poem referred to is "On the Prospect of Plenty: A Poem on the North Sea Fishery," and is inscribed "to the Royal Burrows of Scotland." It was written in 1721 and will be found amongst the poet's published works.

29 August 1721.

EDINBURGH.
29 August 1721.
Sederunt.

Edinburgh, Robert Wightman and William Livingston ; Linlithgow, Thomas Ronald ; Innerkeithing, John Cant ; Kinghorn, Robert Bruce ; Dumbarton, Mr George Smollet ; Whithorn, John M'Gouan ; Rothsay, George Drummond ; Sanquhar, George Irving ; Newgalloway, John Hog ; Queensferry, George Hill ; Inverarie, James Nimmo.

Preses.

1. John Campbell, lord provost of Edinburgh, elected preses.

Findings by
committee as
to elections in
Kirkaldie.

2. Wee, the committee of the royal burrows, judges arbitrators [in question between the magistrates and town council on the one part, and several burgesses of Kirkaldie on the other part, in terms of submission dated 11th July last, entered into conform to the 35th act of the convention then held,] after full hearing of both the saids parties and considerations of the matters laid before them, find that the qualification of having five hundred merks in shipping is not required of those who are councillors and magistrats in Kirkaldie by the decret arbitral which serves the burgh in place of a set, but that it is only required of those who are admitted gild brethren, and that the said qualification even as to gild brethren was never in observance. As to the second point of the petition, relating to the conveeners being in use to present a leet of three trades councillors and the councils being in use to receive them, finds the same not proven. As to the third point of the petition, find it was irregular on the part of the town council of Kirkaldie to receive a deacon of the taillors presented to them by the conveener and his council and not elected by the incorporation of the taillors. As to the fourth part of the petition, find that frequent debates has happened in the election of the magistrats and particularly of the dean of gild through not observing strictly the said decret or set ; and therefore all in one voice, after mature deliberation, having God and a good conscience before their eyes, they pronounce and give forth their sentence and decret arbitral in manner following, to witt, we hereby ordain that the said town council shall not in time coming receive any deacon but such as are chosen by their respective incorporations in manner provided by the said decret, and hereby discharges the conveener and his council to choose any deacons in time coming ; and further ordain the magistrats and council of Kirkaldie to have a special regard in the election of the magistrats to the rules prescribed by their said set, particularly to elect the

said magistrates and dean of gild out of the number of eight; and lastly, we decern and ordain the election of the magistrates and town council of Kirkaldie to subsist.

EDINBURGH.
29 August
1721.

24 October 1721.

Edinburgh, Robert Wightman; Renfrew, Mr John Cochran; Rothsay, George Drummond; Newgalloway, John Hog; Inverarie, James Nimmo; Sanquhar, George Irving.

24 October
1721.
Sederunt.

1. John Wightman, lord provost of Edinburgh, elected preses.

Preses.

2. The committee considering the imminent danger this city and country is in of having the infection brought to them from the kingdom of France where it has for a considerable time raged with great violence, do judge it their duty to use their utmost precaution for preventing their being visited with so dismal a calamity, and for that end to acquaint the burrows on the coast to joyn in so good a work, do therefor appoint a letter for this purpose to be sent with all expedition to the said burrows, and appoints the burghs of Edinburgh, Renfrew and Rothsay, to prepare a draught of the said letter to be considered by the committee as soon as possible.

Precaution
against
pestilence.

1 November 1721.

Edinburgh, Robert Wightman; Inverness, Mr Duncan Forbes; Renfrew, Mr John Graham; Crail, John Lumsden; Rothsay, George Drummond; Sanquhar, George Irving; Newgalloway, John Hog; Inverarie, James Nimmo.

1 November
1721.
Sederunt.

1. John Wightman, lord provost of Edinburgh, elected preses.

Preses.

2. Remitted to a committee to prepare instructions to the agent at London with reference to a complaint purposed to be made to the house of peers by John earl of Rothes "anent a breach made upon his privilege as a peer in so far as he was cited at the instance of several of the burgesses of the town of Couper to compare before the lords of council and session in a reduction and declarator at their instance against the magistrates and council of the said burgh."

3. Remitted to a committee to consider and report on the allegations contained in a petition by Walter Chrieson, late bailie, and other burgesses of Couper.

2 November 1721.

Edinburgh, Robert Wightman; Banf, Mr Andrew Hay; Cullen, John Philp; Inverness, Renfrew, Crail, Rothsay, Sanquhar, Newgalloway and Inverarie, same as on 1st November.

2 November
1721.
Sederunt.

EDINBURGH.
2 November
1721.

Preses.
Couper.

Couper, earle
of Rothes.

1. John Wightman, lord provost of Edinburgh, elected preses.

2. Referring to the 33d act of convention dated 11 July last the committee appointed the agent to pay £25 sterling expended on the action against the magistrates of Couper.

3. The committee [referring to proceedings against the magistrates of Couper mentioned in the 33 act of convention dated 11 July last, and] that in consequence thereof the said complainers with the assistance of the agent of the royal burrows did cary on their action so far that a decree was pronounced in their favours last session, which upon the application of the magistrats was stopt from being extracted, and that now when they are about to insist for removing that stop they are threatned with a complaint to be made by the earle of Rothes for breach of priviledge on occasion of his having been cited as is aforesaid (siting the parliament) whereby they should not only be rendered incapable of asserting their just rights but should also be severely punished for endeavouring to vindicat them in the ordinary course of law; and the committee having further taken into their consideration how dangerous and distructive it would be to the rights of the royal burrows and to the freedome of their elections if when a number of disqualified persons have thurst themselves into the management of a royal burgh contrary to law it should be in the power of any peer of this realme which might be joyned with them in the magistracy to protect them in the administration in defiance of the law purely on account of the priviledge of parliament, which by the constitution ought only to be available to himself, it being by the formes of the law of Scotland necessary to site the whole magistrats and toun council when the title or qualificatione of any one of them is disputed, have therefore resolved to concurr by all lawfull means in the defence of the inhabitants of the said toun of Couper against the complaint before mentioned, and does therefore hereby autherise and impower William Hamilton, esquire of Lincolns Inn, agent for the royal burrows at London, to concurr and appear in the defence of the saids inhabitants of the burrow of Coupar against any such complaint for breach of priviledge made or to be made on account of the citation above mentioned, and further to make such applications in the most humble manner to his Majestie or to either houses of parliament as he shall be advised are necessary for preventing

such inconveniences as the royal burrows of Scotland may suffer through the parliamentary priviledge of any member of parliament who at the same time happens to be a member of their magistracy and council and who in time coming may use that priviledge for obstructing the due course of law.

EDINBURGH.
2 November
1721.

4. The committee approved of the draught of a letter to be sent to the several burrows upon this coast, and recomended to their preses to signe the same, the tennor whereof followes :—Much honoured,—We are sorry we should againe have occasion to write to you on so melancholy a subject as that of taking prudent precautions against pestilential infection. The letters we writ you tuelve months agoe, occasioned by ane alarm as if the Isle of Man had been infected with the plague, brought you our sentiments as to the measures we judged proper for you to take, to which we might referr, but lest the principal should be mislaid we inclose you a copy of our last and of the papers we then sent you. The continuance of the plague in the south parts of France and of it's having of late extended itself into other parts of that kingdom has alarmed all the neighbouring nations, insomuch that the states of Holland have made several laws for their security, the privy council of Britain have issued several orders, and the parliament has now under their consideration vigorous and effectual measures to prevent the extraordinary and virulent contagions being brought into this kingdom. The council of Edinburgh are also upon their guard and have appointed a select committee to concert the measures proper to be used by them in the present exigence. We think it our duty to apprize you of these matters and to exhort you to exert yourselves with dilligence and activity in a matter which concerns your own lives and the lives of those under your government. We recomend you to the Divine protection, and bidding you heartily farewell, we remain, much honoured, &c.

Letter to
burghs on the
coast.

10 November 1721.

Edinburgh, Robert Wightman; Innerkeithing, John Cant; Banf, Mr Andrew Hay; Whithern, John M'Gouan; Rothsay, George Drummond; Northberwick, Mr Hugh Dalrymple; Sanquhar, George Irving; Newgalloway, John Hog; Inverarie, James Nimmo.

Mr 10 November
1721.
Sederunt.

1. John Wightman, lord provost of Edinburgh, elected preses.

Preses.

EDINBURGH.
10 November
1721.

Several affairs
of burghs,
general con-
vention to be
held.

2. The committee taking into their consideration the present extraordinary situation in which several royal burrows find themselves by the contraversies they are ingaged in about elections of magistrats or complaints made of illegal elections, and that these contraversies and disputes are numerous, and in carying them on the managers of them generally have thought to forbear making application to the committee according to laudable custome or to proceed in their processes in the forme of reduction and declarator whereby upon voiding the right of one set of magistrats others may be substitute in their place, but have chosen to carry on suspensions directly by exhibiting bills for that purpose to the lords of session, the effect whereof may be to dissolve the government of these burrows intirely during the dependance of such proces and ay and while a new set of magistrats be elected, or at least may discredit magistrats with their people so as they can scarce be induced to yeild them due obedience and regard while they lye under suspension howsoever they may be continued in the actual exercise of their office, and that upon the meer suggestion of a complainer; having likewise considered the particular case of the magistrats of the good toun of Edinburgh against whom a suspension is exhibited upon grounds which the committee cannot come to a publick resolution upon however clear their private opinions may be, because by the constitution of this committee Edinburgh is the member in the quorum *sine quo non* whereby the concurrence of Edinburgh is absolutly necessary in all acts of this committee, and at the same time cannot vote or deliberat on a question which altogether concerns itself; and having further taken into their consideration the danger of pestilential infection from infected goods clandestinely brought into the country by persons concerned in the smuggling trade and how reasonable and necessary it is to concert a general plan for preventing so dreadfull a calamity; and lastly considering that the parliament is about to lessen the duty's on some kinds of goods imported and exported, and that it concerns the royal burrows to represent in due manner the kinds of goods the reducing the duty's whereof will be a benefite to Scotland; are unanimously of opinion that it's necessary as well as expedient a convention of burrows be summonsed to be holden at Edinburgh the first Tuesday of December next, and therefore ordain a

convention to be summonsed accordingly, and a scroll of the missive to be drawn up by Edinburgh, Innerkeithing and Northberwick, as a sub-committee, to be laid before the committee against their next sederunt, which is hereby appointed to be tomorrow at twelve a'clock.

EDINBURGH.
11 November
1721.

11 November 1721.

Sederunt same as yesterday, with the addition of Cullen, John Philp ; and the substitution John Hay for Andrew Hay as representing Banf.

1. John Wightman, lord provost of Edinburgh, elected preses.

Preses.

2. The subcommittee appointed [at last sederunt presented the following draught missive which was approved of and ordered to be transmitted to the burghs]:—Right honourable and very loving freinds and neighbours. After our hearty commendations, whereas by act James 6 parliament 7 chapter 119 the burgh of Edinburgh with any six other burrows is impowered to summon conventions of the royal burrows *pro re nata*; and whereas it is incumbent upon us your annual committee to take care of the concerns of the royal burrows in the interval of conventions, especially of their fundamental rights and priviledges, and of such matters as regard their welfare and tranquillity, and to point out the heads and articles to be resolved, voted and concluded upon in such conventions, therefore we the said committee have appointed a convention to be held at Edinburgh upon the first Tuesday of December next ensuing, the heads and articles following to be the subject of deliberation in the said convention, and each burgh to send up their commissioners sufficiently instructed to deliberat, resolve and conclude upon the matters contained in the said heads and articles, viz., *Primo*, concerning the present controversies at law and complaints about elections of magistrats in several royal burrows, particularly in the good toun of Edinburgh, in regard a great number of processes are now caryed on and complaints made without applying to us according to the act of burrows and laudable custome, and these processes are not caryed on in the forme of reduction and declarator but by way of suspension upon bills exhibited for that purpose to the lords of session, to the manifest danger of such burghs as are unhappily entangled in such controversies and com-

Missive calling
general
convention.

EDINBURGH.
11 November
1721.

Missive calling
general
convention.

plaints, inasmuch as this new and strange method of procedure directly tends to introduce anarchy and confusion in these burghs by dissolving the government thereof intirely during the dependance of such proces, or at least discrediting the magistrats with their people and thereby enervating the bonds of obedience and regard to them, and the expence of these processes must prove so heavy a burden upon many of these burrows that they will thereby be unable to defray the charge of government out of their common good and even be diffculted to pay their usual proportions of the tax roll. *Secundo*, concerning proper measures to be taken for obviating and preventing pestilential infection and methods to be practised in case it shall please God to punish the nation with so dreadfull a calamity inregard the danger is too evident, as appears from the continuance and spreading of the plague in France and the alarm which the government of Brittain and other states have taken from the present state of France in that respect. *Tertio*, concerning measures to be taken for getting such dutys lessened upon goods imported and exported as may most conduce to advance and encourage the trade of the royal burrows inregard ane opportunity now offers for it by his Majesties having recomended it to the parliament now siting to consider how far the dutys upon some commodities may be taken off without any inconveniency in order to extend commerce, preserve the ballance of trade, increase navigation and imploy the poor; and it's more than probable that a bill will soon be brought into the house of commons for that purpose. And we earnestly desire you may send up your commissioners for holding the said convention sufficiently instructed to deliberat on the forsaid heads, and to resolve, vote, and conclude concerning the same, as you tender your own welfare and the welfare of the state of burrows. It remains that we bid you heartily farewell, and subscribe ourselves, right honourable, your very loving friends and neighbours. Signed [etc.].

GENERAL CONVENTION *held at* EDINBURGH.

EDINBURGH.
5 December
1721.
Sederunt.

Edinburgh, Robert Wightman and Andrew Wardrope; Perth, Robert Robertson; Dundie, Alexander Ferrier; Stirling, Dr James Johnston; Linlithgow, Thomas Ronald; St Andrews, Colonel Philip Anstruther; Glasgow, John

Aird; Ayr, Joseph Wilson; Hadingtoun, James Dods; Disart, Thomas Spence; EDINBURGH. 5 December 1721.
 Kirkaldie, Mr James White; Montrose, James Scott; Dumfreis, William Craik; Sederunt.
 Inverness, Mr Duncan Forbes; Innerkeithing, Henry Cunningham; Kinghorn,
 Robert Bruce; Brechin, John Doig; Irving, Mr William Cunningham; Jed-
 burgh, John Haswell; Selkirk, Andrew Wauch; Dumbarton, Mr George Smollet;
 Renfrew, Collin Campbell; Dunbar, William Fall; Lanerk, John Russell; Elgin,
 James Innes; Peebles, John Stivenson; Crail, John Lumsden; Tain, George
 Master of Ross; Banf, Mr Andrew Hay; Whithern, John M'Gouan; Rothsay,
 George Drummond; Nairn, Hugh Ross; Forres, James Urquhart; Northberwick,
 Mr Hugh Dalrymple; Cullen, Mr John Philp; Lauder, John Moffat; Annan,
 Mr George Blair; Lochmaben, Gavin Johnston; Sanquhar, George Irving; New-
 gallaway, John M'Millan; Dingwall, George Monro; Dornock, Andrew Suther-
 land; Queensferry, George Hill; Fortrose, Hugh Baillie; Inverary, James
 Nimmo; Campbeltoun, John Hog; (eighteen burrows *blank*.)

5 December 1721.

1. John Wightman of Maulslie, lord provost of Edinburgh, elected preses. Preses.
2. Remitted to a committee to revise the commissions. Commissions.

6 December 1721.

3. On report by the committee the convention approved of the commissions excepting that for Lochmaben as to an assessor. Commissions approved.

4. The committee reported that there were two commissions for the burgh of Nairn, one to Hugh Ross, younger of Kilraock and Sir Archibald Campbell of Chinnies, his assessor, the other to Alexander Gordon of Ardock and Alexander Shaw, writer in Edinburgh, his assessor; and it having appeared that the magistrates and council who granted the first mentioned commission were the persons in the actual exercise of the office of magistracy and councilship the convention accepted the commission in favour of Hugh Ross but rejected Sir Archibald Campbell in respect he was not present and his qualification did not appear. Nairn, com- mission.

5. There being two commissions from the burgh of Dingwall, the one to George Monro of Kilcairn, the other to Collin M'Kenzie, merchant in Dingwall, who acknowledged his constituents had not made their election on the day appointed by the set of the burgh, the convention rejected his commission and sustained that of George Monro. Dingwall, commission.

6. The commission of the burgh of Couper to John Clark being read, together with the 42d act of convention 1706 and the minutes of last annual convention in relation to that burgh, the convention rejected the commission in respect of the proceedings mentioned therein, "and in regard severall misde- manners were proven against him in the last general convention, and that he was Couper, com- mission rejected.

EDINBURGH.
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1721.

Members
qualified.

Committee,
petition to
parliament.

found to be the chief occasion of the disturbances in that burgh." Against this Clark gave in a protestation in writing which was allowed to be recorded.

7. The members whose commissions were approved and who had not previously qualified in that capacity took the oaths of abjuration and allegiance and subscribed the same with the assurance.

8. Remitted the missives to the consideration of a committee, "and recommended to them to draw up a petition to the parliament for taking off the duty of three pence per yard upon all printed or stained linnen, and further recommended to the several royal burrows to petition the parliament thereanent from their respective burghs."

Petition of the
town council of
Edinburgh
present.

9. The dean of gild of Edinburgh, commissioner for the said burgh, gave in a petition in name of the lord provost, magistrats and town council of Edinburgh, signed by them, whereupon the lord provost of Edinburgh left the chair, the commissioners for the said burgh and burghs of Rothsay and Inverary withdrew, and the convention elected Robert Robertson, commissioner for the burgh of Perth, to be their preses for the time, who accepted his office and took the oath *de fidei administratione*. Thereafter the said petition was read in presence of the convention with the bill of suspension therein mentioned, the tenor of which petition follows:—To the right honourable the convention of royal burrows the humble petition of the lord provost, magistrats and town council of Edinburgh, sheweth, that upon the fourth day of November last a bill of suspension was presented to the lords of session in name of George Preston, Charles Hope, Thomas Dundas, Alexander Arbuthnot, Andrew Purdie, John Osburn, and Charles Telfier, merchants and late baillies of this city, and others, with the corporations of chirurgians, taillors, &c., concurring conforme to a schedul annexed, praying that your petitioners might be suspended from the magistracy and government of the good town for certain petitions or frivolous reasons expressed in the bill, a copy whereof for greater certainty is hereto annexed and referred to. That your petitioners put in their answers to this bill, a copy whereof is also hereto annexed, and required under forme of instrument a copy of the schedul said to be annexed to the bill but have not obtained it. That upon application of these suspenders the advising of the bill and answers was deferred twelve days untill they had printed and published a false and scandellous memorial against your petitioners, tending to destroy their

reputation as privat persons and as magistrats or councillors and to encourage faction and sedition in the city, as appears from the annexed copy. That on the sixteen day of November the lords of session by their interloquitur of that date passed this bill, but prejudice to the chargers to continue in the exercise of their respective offices as magistrats and councilers till the event of the cause after report made by the lord ordinary *in presentia*. That your petitioners howsoever justly suspicious that some extraordinary springs are at work in this matter, yet conscious of the justice of their case and of the legality and fairness of their last election, had all the inclination possible to have consented to the speediest methods of determining the merits of it, but considering that this judgement of the lords of session was of the greatest consequence to the burrows in general as it indangered their liberties, the freedom of elections, and the authority of magistrats, your petitioners with whom the care of the intrest of the royal burrows during the intervall of conventions is in a great measure entrusted, durst not adventure to follow their own inclinations or to make any stop that should in the least degree seem to acquiesce in this interloquitur without the advice, direction and approbation of the royal burrows assembled in a general convention. That by your acts and constitution, and particularly by the famous act made *anno j^m vij^c* and six, it is provided that all debates, or differences which shall happen concerning management of common good, elections and incroachments within burgh, shall in order to be composed and agreed by mediation be first laid for that end befor you or your committee. Your petitioners being sensible that the commissioners for Edinburgh being necessar members of your committee the suspenders would probably object against the committee's procedure if they had laid the case before it and therefore deferred making any application in the terms of that act untill this meeting of the general convention. And now they humbly pray that this honourable convention would be pleased to take the case and the springs of it under their consideration, the one being evident from the several papers hereto annexed, and hoping the other will appear upon your inquiry, to call the suspenders befor you that they may have an opportunity of answering for the several parts of their conduct, and to give your petitioners such advice and direction for their behaviour in relation to the suspension above mentioned as

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1721.

Petition of the
town council
of Edinburgh
present.

EDINBURGH.
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Petition of the
town council
of Edinburgh
present.

may tend most to the peace, honour and safety of the royal burrows, and to the preservation of their liberties. Which being considered by the convention they appointed the suspenders to be summoned to compare before them against tomorrow at three in the afternoon, and ordered copies of the said petition to be delivered to them by the burrow officer when he summons them.

7 December 1721.

Commissions
approved.

10. Approved of the following commissions :—Lanerk, John Russell and Mr James Johnston, younger of Westerhall, his assessor; Annan, Mr George Blair; St Andrews, Col. Philip Anstruther; Campbeltoun, John Hog and Alexander M'Millan, his assessor. Thereafter John Hog, James Johnston and Col. James Sinclair, assessor for Disart, qualified themselves by taking the oaths in the usual manner.

Nairn.

11. Remitted petition of the burgh of Nairn to the consideration of a committee.

Committee.

12. The commissioner for Kirkaldie added to the committee on the missive.

Petition to
parliament.

13. The convention approved the draught of a petition [to the house of commons and directed it to be presented], the tenor whereof followes :—To the honourable the commons of Great Britain in parliament assembled, the humble petition of the convention of royal burrows of Scotland now met at Edinburgh, sheweth, That your petitioners being much agrieved by the high duty of three pence per yard upon printed, stained or painted linnen, were filled with joy upon the news of his Majesties having recomended to this honourable house by his most gracious speech from the thron to consider how far such duties as either clog the expectation of our own manufactures or render the manufacturing of them at home less easie and practicable may be taken off without great inconvenience. That the preservation and encouragement of the linnen manufacture is of the greatest consequence to this part of the United Kingdom, particularly to the several royal burrows which we have the honour to represent in this convention, not only the trade of numbers of our burgesses but the subsistence of vast numbers of our poor inhabitants depending upon it. That the exportation of British linnen to his Majesties plantations is very much lessened

by the quantities of forreign linnen exported thither under favour of drawing back the duties payed at the importation of it. That the consumpt of British, especially of North British linnen used for printing, staining and painting, is very much cloged by the heavy duty before mentioned, and this duty appears to be exceedingly so when it is observed that the linnen for the most part used to these purposes is no more in value then from sixpence to tenpence per yard. Your petitioners therefore humbly pray that the duty upon British printed, stained and painted linnen, may be taken off, and the export of British linnen to his Majesties plantations may be promoted by such methods as to this honourable house in their great wisdom shall seem meet ; and your petitioners shall ever pray.

EDINBURGH.
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1721.
Petition to
parliament.

14. A petition was read in convention given in by John Clark, pretended commissioner for the burgh of Couper, to the lords of session on the sixth instant representing that his commission was unjustly rejected, and therefore craving their lordships would ordain the convention to answer to his complaint upon twenty four hours warning, and in the meantime to stop any effect of the conventions sentence, or if their lordships thought it more proper to pass the suspension of their sentence rejecting his commission and to order him to be continued in the possession of acting untill the convention could justifie their power of excluding him ; which petition their lordships by their deliverance of the seventh of December instant ordained the prolocutor for the royal burrows to see and answer against Saturday next at nine aclock in the morning, and for that effect ordained a full copy of the petition to be given them under forme of instrument, and in case of their not meeting ordained a full copy of the petition to be given to their preses and clerk and to be affixed on the door of the place of their meeting under forme of instrument to answer the said petition within twenty four hours after the said intimation and in the meantime sisted ; which petition and deliverance of the lords of session thereupon being considered by the convention they appointed and hereby appoint the lord provost of Edinburgh, their preses, and the commissioners for the burghs of Edinburgh, St Andrews, Inverness, Dumbarton, Northberwick, Dissart, Tain and Innerkeithing, to wait upon the lord president of the session upon Saturday next at nine

Couper, com-
missioners to
wait on lord
president.

EDINBURGH.
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Couper, com-
missioners to
wait on lord
president.

aclock in the morning and shew to his lordship in the most respectfull manner the reasons why the convention cannot obey the deliverance upon the forsaid petition, and in the meantime appointed the commissioners for the burghs of Inverness, Northberwick and Lanerk to draw up a declinator in case after waiting upon the lord president of the session it shall be found necessar to give in the same to the lords of session.

Affair betwixt
George Pres-
ton, &c., and
the magistrats
of Edinburgh.

15. The petition from the magistrats and council of Edinburgh against George Preston, late baillie of Edinburgh and others, being to be considered, the lord provost of Edinburgh left the chair and the commissioners for Edinburgh withdrew, as did also the commissioners for Rothsay and Inverary, being present magistrats of Edinburgh, and the convention elected the commissioner for Perth their preses. Immediatly thereafter the suspenders being called compeared by Alexander Stivenson of Montgreenan, writer to the signet, who by a commission from them gave in a representation signed by all the suspenders except John Osburn, which being read in convention and considered they found the representation to be upon the matter a declinator of the conventions power to summond persons to appear befor them, and therefor appointed [tuenty six burghs], whereof nine a quorum, as a committee to enquire into the facts mentioned in the petition, to the end the convention may perfectly understand the grounds and occasion of the proces intended against the magistrats and council of Edinburgh, and the petitioners may have ane opportunity to vindicat themselves from what is laid to their charge, with power to the said committee to receive and examine such proofs and writs for instructing the facts in the petition as shall be produced, but inregard the convention's meaning in summoning the saids persons was in order to know the reasons which determined them to intent a proces at law and that by way of suspention too before they had recourse to the convention of burrows or their committee according to the act of burrows made in the year j^m vij^c and six, and to endeavour to persuade and dispose them to submitt the case to tryall by them before they proceeded further as becomes peaceable burgesses, therefore the convention allowes the said committee to admitt the saids parties to appear personally before them to disprove any thing offered by the petitioners in

their own vindication if these persons or any of them shall desire it and the committee think fit, notwithstanding of their contumacy in refusing to appear upon summons and their contempt of the royall burrows privileges in declining the conventions power, and recomends to the said committee to inspect records and search for presidents as to the censure that may be inflicted upon the suspenders for their contumacious behaviour.

EDINBURGH.
7 December
1721.
Affair betwixt
George Pres-
ton, &c., and
the magistrats
of Edinburgh.

16. Appointed the provost, bailies, dean of guild, treasurer and deacon Burntisland. convener of Burntisland to be cited to appear before the convention on Monday to answer to a complaint of certain inhabitants against them.

9 December 1721.

17. The convention, upon report of the committee appointed to consider the heads of the missive, did find as to the first head thereof that the numerous law sutes commenced and fomented within the royal burrows by persons who refuse to neglect to comply with the acts of burrows, and particularly with the fourty second act of the convention j^m vij^c and six, tend directly to the discouragement of frugality, industry and trade, and to the incouragement of faction, discord and corruption ; therefore the convention declared and hereby declare such practices and proceedings to be contrary to the wellfare and peace of the royal burrows and do recomend to the annual committee to give countenance by concurrence with such magistrats and other persons as comply with the direction of the said act j^m vij^c and six against such other magistrats and persons as neglect to refuse to conforme themselves thereto ; and the convention did also find that the forme of proces against magistrats of royal burrows by suspention lately practised in several places, particularly in the case of Hadingtoun and Edinburgh, was contrary to the rights and priviledges of the royal burrows, was subversive of all magistracy and authority within burgh, and in its consequences might unhinge the government of every royal burgh in the kingdom, therefore the convention declared and hereby declare they will lay hold on all occasion and put in practise all lawful means to oppose this forme of proces, and do particularly recomend to their annual committee to concurr with such burghs as may in time

Law suits,
privileges of
royal burghs.

EDINBURGH.
9 December
1721.

Law suits,
privileges of
royal burghs.

coming be threatned and attacked with such processes, and to assist them in bringing these matters to a determination by appeal to the supreme judicature; and likewise did find that inregard it is obvious how contumacious persons are prompted and encouraged in their contempt of the convention and its powers by evil minded persons without doors, enemies to the state of the royal burrows, who may attempt to give bad impressions of the rights and proceedings of the convention to the ministers of state, therefor the convention makes choice of and appoint John Campbell, esquire, member of parliament and late provost of Edinburgh, as a proper persone for that service, and impowers him to make application to his Majesties ministers to assure them of the affection and zeal of this convention for his Majesties service and to pray their assistance and protection against any attempts to destroy or impare the priviledges of the royal burrows; and the convention appoints the powers that shall be given to the said John Campbell in his commission to be conceived in the following or such like words, viz., that he make application in the most prudent manner to his Majesties ministers in support of the priviledges of the royal burrows, which have been greatly threatned by some late proceedings, that he do this with the outmost respect to his Majesties administration, and at the same time assure the ministers the royal burrows of Scotland will at all times merit their protection by being dilligent in promoting the peace and authority of his Majesties government, and the convention appointed [eleven burrows] as a committee to draw up instructions to the said John Campbell.

Committee to
draw up de-
clerature.

18. The convention added the burghs of Edinburgh, Selkirk, Dumbarton and Sanquhar to the committee appointed to draw up a declinator of the lords of session's power to cognosce on the complaint given in by John Clark, pretended commissioner for Couper.

11 December 1721.

Memorial to
lords of
session.

19. Approved of the memorial drawn up by the committee appointed by the 14th and 18th acts to draw up the declinator referred to, and directed the same to be presented to the lords of council and session at their next sederunt.

Burntisland.

20. The magistrates of Burntisland not having appeared, though cited in terms of the 16th act, the convention remitted consideration of the complaint to a committee.

21. Allowed the burgh of Fortrose to answer by Wednesday next a petition of certain burgesses and inhabitants presented to the convention.

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1721.
Fortrose.

12 December 1721.

22. At the desire of the magistrates of Burntisland the convention allowed them a copy of the petition which they were appointed to answer to the committee tomorrow.

Burntisland.

23. Remitted to a committee, petition from the incorporation of goldsmiths in Edinburgh, and also a petition from Robert Mein in name of the distillers in and about Edinburgh.

Petitions,
goldsmiths,
distillers,
Edinburgh.

24. On report by the committee appointed by the 11th act, the convention remitted the consideration of the petition of the magistrates and council of Nairn to the annual committee and appointed the persons complained against to appear before the committee.

Petition,
Nairn.

13 December 1721.

25. On report by the committee appointed by the 20th act, the convention remitted the petition and answers lodged in terms of the 22d act to the annual committee, "and recommended to them finally to determine all these differences betuixt and the second Tuesday of February next."

Burntisland.

26. The convention, upon report of the committee appointed to consider the second head of the missive, having considered of proper methods for preventing pestilential infections being brought into any royal burrow and of proper measures to be taken in case any burrow shall happen to be punished with so dreadful a calamity, find it expedient for preventing pestilential infections that the magistrats should duely and exactly know what strangers come or goods are brought into the burgh in order to hinder infected persons or goods from coming into it ; and for making this effectual they find the following methods ought to be practised, viz. :—

Methods to be
used for pre-
venting pesti-
lential infec-
tions.

(1.) That ane exact account be taken of all the inhabitants who at any time receive strangers into their houses to lodge.

(2.) That not only all such persons but every inhabitant be commanded, under severe penalties, to give ane account to the magistrats not only of the lodgers which come into their houses but of their friends and relations which come to visit them, within such time as the magistrats shall appoint.

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1721.

Methods to be
used for pre-
venting pesti-
lential infec-
tions.

(3.) That a register be kept of all such house keepers, minutely describing the place in the town where they live, and also an exact register of all the lodgers they from time to time receive into their houses, mentioning their business in the town, the place of their abode and the places they have been in for forty days preceeding.

(4.) That all the inhabitants be discharged to receive into their houses or warehouses any goods capable of retaining infection, brought or suspected to be brought from infected places, without previously acquainting the magistrats that such goods are come into the town.

(5.) That no goods capable of infection, such as matted wine, any kind of bale goods, &c., coming from places infected or suspected of infection be allowed to be brought into the burgh, nor any cask containing liquors be landed before they are dipt in water.

(6.) That the ministers be desired to warn the people from the pulpits of their danger and enforce the warning with suitable arguments.

(7.) That application be made to the justices of peace or sheriffs to act in concert with the magistrats in preventing goods of any kind being clandestinely brought or persons from coming ashore in boats from ships lying quarantain.

(8.) That acts of council be made enforcing these orders with suitable penalties and be duly and timously intimated.

For keeping the infection within bounds, accomodating the sick and preserving sound in a burgh actually infected.

That it is highly expedient and necessary that the magistrats know the numbers and circumstances of their inhabitants in order to disengage themselves of strangers in such a state and make provision for the regular subsistence of their inhabitants and their supply, with necessary chirurgians, phisicians, and medicines, for the effectual execution whereof they humbly offer the following measures, viz:—

(1.) That an exact register be made up of all the inhabitants of every royal burgh by the respective magistrats thereof, mentioning their employments, their circumstances as to poverty or comfortable subsistence, their place of birth, age and time of abode in the burgh.

(2.) That howsoon the infection seizes any place in the Island of Britain the magistrats do immediately provide infirmaries for the sick,

bespeak a competent number of phisicians and chirurgians provided with proper medicins and instruments to assist them in their distress.

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(3.) How soon any place in the neighbourhead of the burgh comes to be infected, suitable quantities of cheap perfumes be provided, such as pitch, tar, rosin, brimston, vinegar, &c., and fence of the burgh with a ditch or proper guards for preventing infectious persons from obtruding themselves upon the burgh.

Methods to be
used for pre-
venting pesti-
lential infec-
tions.

(4.) That how soon the burgh itself comes to be infected, in the first place all concourses of number of peoples together upon whatsoever occasion be prohibited, and the magistrats be vested with a council power during the continuance of the plague in it, obliging them to keep a regular sederunt book of their proceedings, and one or tuo of their number be licentiat to retire into the country in order to correspond with their brethren and assist them during the time they are shut up.

(5.) Next, howsoon any persone falls sick of the plague in a house, that instead of shutting up the sound with the sick in such a house as has been the practise in too many places that the sick persone be immediatly removed into the infirmary and be there duly attended and provided with food and medicines, but that no such vile prostitute wretches as on former occasions have served as cleansers be imployed but the care of the sick committed to chirurgians or other persons of reputation and their friends be admitted to visit them under such precautions as the phisicians shall direct.

(Lastly.) That the country people be encouraged to bring provisions to the infected burgh by appointing a proper place where they may be delivered with safety and making payment of the price thereof at a reasonable rate in ready money.

That in the case of ships arriving at any maritim burgh from ane infected place or country, the advice and directions given by the committe appointed by the annual convention be carefully observed and all these measures be executed with such prudence, dispatch and dilligence as the exigence of the case requires.

Thereafter the convention appointed their clerks to cause print this present act and transmitt copies thereof to the respective royal burrows.

EDINBURGH.
13 December
1721.

Committee's
report anent
the magistrats
and toun coun-
cil of Edin-
burgh's affair.

27. The committee appointed to consider the petition of the lord provost, magistrats and toun council of Edinburgh, and report their opinion thereanent, reported that having pursuant to the licence and powers given them by the convention intimated to the suspenders that they were allowed to appear and might object against any voucher produced by the magistrats and council and be witnesses to the verification of the facts asserted by them in their own defence, notwithstanding of the contempt of the convention and its powers, shewed by their memorial and by not appearing upon the summons given them, and having also invited all such persons as had been magistrats or are qualified to be such as having been councilers, and likewise all such tradesmen as had born the office of deacon conveyer, together with severall other respectfull burghesses in order to their informing the committee of any facts that might appear in the course of their procedure, and to be eye and ear witnesses to the examination of the conduct of the magistrats and council, they proceeded in presence of great numbers of respectfull burghesses and inhabitants of the city, some whereof had been magistrats, councilers and deacon conveyers, to read over the bill of suspension, answers made thereto, memorial for the suspenders, and the petitioners vindication, and enquire into the matters and things committed to them by the convention and do find¹

(1.) That having inspected the accounts of Mr Wightman, Mr Drummond, and Mr Nimmo during the years of their office as treasurers to the city, together with the treasurer's accounts for thirty years preceding, it appeared that the form and method thereof is more distinct than that of their predecessors, "the several branches of revenue and expence being classed in a proper order and so stated as the amount of each branch either of revenue or expence appears at a view, and a long list of arrears or bad debts, which formerly obscured the treasurers accompts by being charged and discharged therein, being inlisted apart in an accompt annexed to the abstract or general state where the whole of these arrears plainly appear and how much thereof is annually recovered."

(2.) That at the closing of the first year of treasurer Wightman's accounts he was in advance out of his own private cash £1751, 7s. 7½d. sterling, that no more than three months interest is charged by him to Candlemas 1718, and no interest at all is charged by him and the other two treasurers in their succeeding accounts, though sometimes they must necessarily have been considerably in advance for the town; that a balance of £1032, 18s. 7½d. was due by Mr

¹ The substance only and not the full findings are here printed.

Wightman to the city at clearing his second year's accounts, which was duly paid to and accounted for by his successor, as was a balance of £1753, 0s. 5½d. due by treasurer Drummond at the clearing of his second year's accounts which was paid to treasurer Nimmo who accounted for it and for all the town's revenue he has received, and now there is a balance of £228, 0s. 1d. due by the city to him ; "therefor they are of opinion that there is no ground for asserting that the said three gentlemen or any of them have not accompted duly and honestly for their intromissions with the cities revenue or that they have made any profit by having the cities cash in their hands, and further reported that having examined the council records laid before them concerning the checks on the treasurer for preventing any frauds or imbezlements of the revenue, are of opinion that these checks are such as the magistrats and council have set forth in their answers to the bill of suspension and in their vindication published in print, and are so effectual ones that it is almost impossible for a treasurer to defraud or impose upon the city."

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1721.

Committee's
report anent
the magistrats
and town coun-
cil of Edin-
burgh's affair.

(3.) That having considered the act of parliament prolonging to the town the duty on ale, &c., the act of council dated 24 October 1718 establishing a select committee for managing the act, the sederunt books of the persons appointed overseers, the schemes and estimates of the several works to be undertaken, the cashier's books, the original draught of the memorial put before members of parliament when the prolongation was petitioned for, with the reports of commissioners appointed by the navy office and the town council in 1709 concerning the improvement of Leith harbour, and the records of the town council relative to the management of the new gift, they find that the act "directs the several publick works undertaken by the magistrats and council to be carried on under the inspection of the overseers and impowers them to make bylaws and regulations to that purpose."

(4.) That the overseers on 5th June 1718 approved of these public works being proceeded with in the precise order expressed in the act of parliament and money borrowed for the purpose on the town's credit, and on 28 July 1719 approved of the following estimates, viz., for the east and west piers of Leith, £27,361, 16s. 11d.; for bringing in the water to the city, £5,552, 9s. 5d., and for the canal for containing a quantity of water to clean the harbour, £4592, 4s. 11d.

(5.) That the select committee have annually laid before the overseers the estimates of all the public works to be performed and received their approbation, and they have also examined the accounts and approved of the payments. That all borrowed money has been duly applied for fulfilling the purposes of the act of parliament; that from John Hog, the cashier's books, it appears that, in place of having money lying dead in his hands, he has been several times in advance, particularly at clearing his accompts on 5th December 1720 there was a balance due him of £1029, 6s. 3½d., and after a thorough examination of his accounts and

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report anent
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vouchers and preceding 11th inst. there appears to be due to him a balance of £1,714, 17s. 6½d.

(6.) That by declarations emitted before the committee it appears that the first draught of the memorial given in to members of parliament contained the watch money as one of the purposes to which the gift was to be appropriated but was struck out by Bailie Hope opposing the same.

(7.) That the whole proceedings of the select committee have been annually laid before and approved of by the town council.

(8.) That from an original scheme signed by David Spence, secretary to the Bank of Scotland, the original list of the city's debts on 1st July 1718, and other documents examined by the committee, it appears that the city's debts at Lambas 1724 will extend to £62,542, 4s. sterling; that the original scheme vouches the truth of the propositions relative to the paying off the city's debts and defraying the expense of the public works; that from a certificate by the accountant of excise showing that the cities proportion of excise within Edinburgh and its precincts, secluding Liberton division, amounts to £8,350 per annum, and it appears "that the magistrats have judged reasonably about the produce of the gift if put under ane regular management, and if all the drink consumed in the city liberties is subjected to the payment of the duty."

(9.) That having considered a scheme of the town's revenue and expense taken at a medium of twenty years preceding Martinmas 1717, with the records of council concerning the purchase of the estates of Lochbank and Woolmet, they find that the ordinary revenue with the aid of £452 per annum out of the new gift came short of the annual expense by a sum exceeding the yearly rents of these two estates; that by minutes of council dated 10th and 17th May 1717, when Bailie Dundas was present, the purchase of Lochbank was authorized. And by minute of 15 January 1718, when Bailies Arbuthnet, Hope and Purdie were present, authority was given to purchase lands, and on 13 May 1718, when Bailies Arbuthnet and Purdie were present, the purchase of Woolmet was approved of; "therefore they are of opinion that the purchase of these estates was a prudent and necessary measure for preventing the towns contracting debt to enable them to defray their annual expence."

(10.) That having perused an act of the town council in 1675 and other documents it appears that certain exceptions taken against the election of two councillors were groundless; and that a mode of making up leets which was objected to was not contrary to the act, it having been "the uncontroverted practice of the city to leet one persone in the same leet for different offices time out of mind."

(11.) "That upon the whole the committee are of opinion that the magistrats and council of Edinburgh have fully vindicated themselves to their entire satisfaction and therefore that the convention ought to concur by their agent in supporting of the said last election."

Which report being considered by the convention they approved thereof, *nemine contradicente*, and appointed their preses in their name to acquaint the lord provost and magistrats of Edinburgh that his lordship, the magistrats and council, have fully vindicated themselves from everything which has been laid to their charge concerning the administration of the touns affairs, which was done accordingly; and the convention further considering that the charge against the magistrats of Edinburgh is exhibited in a publick manner they judged it necessary to publish their proceeding in that matter that the justification may be as publick as the charge, and therefore ordered their clerks to cause print this their act with such of the papers and vouchers thereof as the annual committee shall think proper and to transmitt copies thereof to the several burrows; and considering likewise that it may be inconvenient for the magistrats and council of Edinburgh to appeal against the forme of their proces by way of suspension in their present circumstances do therefore allow them to proceed in defending themselves befor the lords of session in such manner as they shall think fit and declare their conduct in forbearing to appeal till they had the advice of the convention to be such as becomes magistrats of the good toun.

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13 December
1721.

Committee's
report anent
the magistrats
and toun coun-
cil of Edin-
burgh's affair.

14 December 1721.

28. The [convention approved of the following] instructions by the convention of royal burrows now met at Edinburgh to John Campbell, esquire, member of parliament for Edinburgh, now at London :—

Instructions to
member of
parliament for
Edinburgh.

You are to use dilligence in learning and informing yourself how and in what manner the meeting and proceedings of this convention are represented to the ministry and understood by them in order to use proper means for seting the legality and necessity of this meeting and the loyalty and good behaviour of its members.

In case you find the meeting and proceedings of this convention to be actually misrepresented to and misunderstood by his Majesties ministers of state, or in danger of being misrepresented to and misunderstood by them, you are to use all proper means to informe them or to informe his Majestie in the most dutyfull manner of the legality and necessity of this convention, and of the fairness, regularity, and legality of its proceedings

EDINBURGH.
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1721.

Instructions to
member of
parliament for
Edinburgh.

in general, and in particular to represent if need require that this convention amongst other usefull purposes mentioned in the missive which directed its meeting was called in order to consider of proper measures in putting a period in ane amicable and friendly way to the numerous law suits now on foot betuixt magistrats and burgesses within burgh concerning elections and to put a stop to the like for the future, especially to such processes as are caryed on by way of suspension.

You are further to represent, if opportunity offer, that the royal burrows found themselves under ane indispensable necessity of interposing in these matters, in regard the disputs and differences thereby occasioned and fomented tend directly to the discouragement of frugality, industry and trade, and to incouragement of faction, discord and corruption, in respect the forme of proces against magistrats by way of suspension is contrary to the priviledges of the royal burrows, is subversive of all magistracy and authority within the same, and in its consequences may unhinge the government of every royal burgh of the kingdom upon the assertion of a single writer to the signet; and inregard they conceive it to be their duty to guard themselves against and frustrat the designs of evil-minded persons, enemies to the royal burrows, who are the springs and causes of these disorderly proceedings, and who prompt and encouraged factious and contumacious persons in the contempt of the convention and its legal powers, thereby to prevent the ruinous consequences which usually attend faction and contention as becomes faithfull and loyal subjects and dutyfull and peaceable burgesses.

You are to concur with and assist Mr William Hamilton, agent for the royal burrows, in procuring such exemption of dutys as the convention have agreed to befor the benefite of the royal burrows in general and the redress of such grievances as have been complained of to this convention as they are respectively stated in the several memorials and petitions herewith transmitted to you, and to make such application to his Majestie, to the ministry, the treasury, to the parliament, or to the commissioners for the salt duty, as the several cases respectively require and as shall be thought most proper and effectual for obtaining the desired end therein, taking the advice and assistance of the members of parliament for Scotland, especially of such as represent the royal burrows.

You are to correspond with the annual committe from time to time concerning the matters now committed to your care and to regulat yourself by their advice and sentiments on every emergience in so far as their advice shall be consistent with these present instructions.

EDINBURGH.
14 December
1271.

29. The convention having heard a petition from Sir William Johnston of Westerhall, late baillie and burges of the toun of Lochmaben, complaining of illegall and unusuall steps taken in the late election of magistrats and toun council of the said burgh, they remitted the consideration of the petition to the annual committe now in being till July next to enquire thereinto with all dilligence and expedition, but inregard the most honourable the Marques of Annandale, present provost of Lochmaben, complained of is now in toun, out of respect to his lordship the convention appoints the burghs of Edinburgh, Perth, Stirling, Glasgow, Dunbar, Selkirk and Rothsay, to wait on his lordship and acquaint him of this petition and to know if his lordship will submitt himself to the determination of the royal burrows to which Sir William Johnston has already submitted in order either to a friendly and speedy accomodation or to be regularly judged by the said convention, and to report.

Petition, Loch-
maben.

30. The convention having heard a petition from William Tolme and others, bailies and inhabitants of the burgh of Fortrose, against the magistrats of the said burgh, with the answers given in thereto by their commissioner, they remitt the consideration thereof to the committee appointed by their last annuall convention, and ordain their agent to transmitt a copy of the said petition to the saids magistrats and to appoint a proper person to cite them to compeer before the said committee to answer the said complaint upon the second Tuesday of March next, and appoints the magistrats of the said burgh to write to the committee betuixt and the eight of January whether they be willing to submitt the determination of the said affair complained of to them or not, that the committee may proceed accordingly.

Petition
Fortrose

MEETINGS OF COMMITTEE *held at* EDINBURGH.

7 February 1722.

EDINBURGH.
7 February
1722.

Sederunt.

Preses.

Unfree trade.

Burntisland.

Lochmaben.

Edinburgh, Robert Wightman ; Rothsay, George Drummond ; Lochmaben, Sir William Johnston ; Sanquhar, George Irving ; Newgalloway, John Hog ; Inverarie, James Nimmo.

1. John Wightman, lord provost of Edinburgh, elected preses.
2. Appointed the agent to make up a distinct state of the unfree trade to be laid before the committee by 15th March next.
3. Remitted to the commissioners for Rothsay and Sanquhar to consider petition against the magistrates of Burntisland and answers thereto.

4. The committee anent the petition given in be Sir William Johnston, late baillie of Lochmaben, shewing that the petitioner had intented reduction and declarator befor the lords of council and session against the last election of the magistrats and council of Lochmaben on the twenty ninth of September last upon most irregular proceedings, that so soon as the royal burrows sat the petitioner presented his case to the last general convention, upon which ten days was allowed to the right honourable the Marques of Annandale to declare whether his lordship and the council of Lochmaben would submitt themselves to the determination of the committee, which after six weeks time they are pleased to declin, that seeing it is the constant practise of the royal burrows to give their concurrence to such as will submitt themselves to your amicable determination against those who refuse it, therefor craving the committee would ordain the agent to the royal burrows to concurr with the petitioner in the proces at his instance against the pretended magistrats of Lochmaben, as the petition bears. Which being considered by the committee they autherised and appointed Mr George Smollet, advocat, agent to the royal burrows, to concurr with and assist the petitioner in the said proces of reduction and declarator.

13 February 1722.

Sederunt

Edinburgh, Robert Wightman ; Kinghorn, Robert Bruce ; Rothsay, George Drummond ; Newgalloway, John Hog ; Sanquhar, George Irving ; Inverarie, James Nimmo.

Preses.

1. John Wightman, lord provost of Edinburgh, elected preses.

2. The commissioner for Rothsay reported that, conforme to the instructions given by the committee of the royal burrows the second of November last to Mr William Hamilton, the burrows agent at London, to have in readiness ane council with ane application to be heard on the behalf of the royal burrows in the question moved in the house of lords anent the breach of priviledge complained upon by the Earle of Rothes, and that accordingly he and the council attended, but the lords having found no breach of priviledge there was no occasion for making use of the council and the application, and that the said Mr William Hamilton had signified the same to him by a missive; which being considered by the committee they approved of the agents care and management in that affair and appointed the said commissioner for Rothsay to writ to him that they are well pleased with his conduct in that affair and return him the thanks of the committee.

EDINBURGH.
13 February
1722.
Earle of
Rothes, breach
of privilege.

3. It was reported that the memorial from the burghs to the treasury anent the bonds given by the merchants for securing the excise upon foreign salt employed in curing of salmond after 24 June 1719 had been referred to the commissioners of customs in Scotland, and the committee remitted to the commissioners for Edinburgh and Inverarie to attend the customs commissioners with the memorial and solicit their answer.

Foreign salt,
salmond.

4. There was presented and ordered to lie in the clerk's hands an authentic copy of a memorial from the salt office to the lords commissioners of his Majesties treasury anent the merchants concerned in curing of white herrings in Scotland.

Curing her-
rings.

5. The subcommittee to whom was remitted the consideration of the proces depending at the instance of baillie Bell, baillie Burnet, and others against the magistrats and toun council of Burntisland, reported that they haveing considered the same, with the whole accompts and vouchers for the defendants concerning their receipts and payments with the revenue of that burgh, found that bailie Thallan is chargeable with £1800, 5s. 1d., and has discharged himself with £1123, 19s. for which he has produced vouchers, that he takes credit for £561, 19s. for which he produces no vouchers, whence they found he was debtor to the toun by his own acknowledgement in the sum of £114, 7s. 4d. which they were of opinion he ought to accompt for, together with the above £561, 19s. not instructed; [here follows statement of

Burntisland.

EDINBURGH.
13 February
1722.
Burntisland.

balances of accounts with other intromitters with the town's revenues]; that such promiscuouse intromission with the revenue complained of being attended with obvious inconveniencies, therefor that the magistrats and toun council of Burntisland be ordered in time coming regularly to state accompts with their treasurer once a year, and that no persone be allowed to intromett with any part of their revenue but their treasurer, and that they observe the laws of the burrows concerning the roup of their commone good ; [that James Clark, town clerk, in certain transactions had] imposed upon the toun ; likewise that the said James Clark is guilty of other gross practises, particularly in involving the toun in unnecessary and unprofitable law suits and in levieing the touns revenue without any tittle or authority, therefore that his case deserves the consideration of the next annual convention, and meantime that the magistrats and toun council upon account of the premises should be ordained to suspend the said James Clark from his office of clarkship, and he to be summoned to answer concerning the premises before the said next convention ; that the abuses complained of in their tuo last elections seems to be verified, and therefore seeing the complainers ask the concourse of the agent in a reduction thereof that the committee should grant the same ; which being considered by the committee they approved of the said report and decerns accordingly.

GENERAL CONVENTION *held at* EDINBURGH.

EDINBURGH.
3 July 1722.
Sederunt.

Edinburgh, Archibald M'Aulay and Andrew Wardrop ; Perth, Robert Robertson ; Dundie, Mr Robert Dundas ; Aberdeen, Robert Steuart ; Stirling, James Johnston ; Linlithgow, Thomas Ronald ; St Andrews, Philp Anstruther ; Glasgow, John Aird ; Air, Robert Moor ; Hadingtoun, Mr James Dods ; Disart, Thomas Spence ; Kirkaldie, Mr James White ; Montrose, James Scott ; Couper, John Clark ; Anstruther-Easter, John Low ; Dumfries, John Gilchrist ; Inverness, Mr Duncan Forbes ; Burntisland, Andrew Ballantyn ; Innerkeithing, Henry Cunningham ; Kinghorn, Mr Alexander Leslie ; Brechin, Mr Andrew Doig ; Jedburgh, John Haswell ; Pittinueem, James Melvil ; Dunfermling, Mr John Walker ; Selkirk, Andrew Wauch ; Dumbarton, Sir James Smolet ; Renfrew, Mr John Cochran ; Dunbar, William Fall ; Lanerk, John Russell ; Aberbrothlock, James Doig ; Elgin, Robert Innes ; Peebles, John Stivenson ; Crail,

John Lumsden ; Tain, George master of Ross ; Culross, James Adam ; Banf, Mr Andrew Hay ; Whithern, John M'Gouan ; Rothsay, George Drummond ; Ruthglen, John Muir ; Northberwick, Mr Hugh Dalrymple ; Cullen, John Philp ; Lauder, Mr Wm. Ormistoun ; Kilrenny, James Peacock ; Lochmaben, Gavin Johnston ; Sanquhar, George Irving ; Newgalloway, Colonel Thomas Dalzell ; Dingwall, Colonel Robert Monro ; Queensferry, George Hill ; Inverarie, James Nimmo ; Wick, Sir James Dunbar ; Kirkwall, John Coventrie ; Campbeltoun, John Hog ; (thirteen burghs *blank*.)

EDINBURGH.

3 July 1722.

Sederunt.

3 July 1722.

1. John Wightman of Malslie, lord provost of Edinburgh, elected preses. Preses.
2. Appointed a committee to revise the commissions. Commissions.

4 July 1722.

3-6. Approved of the commissions of certain burghs. There were two commissions from Linlithgow, one to Captain Walter Hamilton of Westport, then provost, and the other to Thomas Ronald, late provost. The convention sustained the latter commission which is subscribed by fourteen members of council which consists of twenty seven members, while only twelve were present at the election of Provost Hamilton, but the commission was rejected as regards the assessor who was "not qualified in the terms of the plateforme." There were also two commissions from the burgh of Lauder and the convention sustained the one having a majority of the council.

Commissions approved.

7. The convention considering how derogatory it is to the honour of the royal burrows to have any of their number represented by schoolmasters, they do therfore statute and ordain that in time coming none of the royal burrows shall choose their schoolmasters to be their commissioner in any ensuing election, with certification that they shall not be allowed the priviledge of having a member during the siting of that convention and shall be proceeded against as absent in case they presume in the contrarie.

Against schoolmasters representing burghs.

8. Appointed the agent to give in his accounts. Accompts.
9. Appointed a committee to prepare the draught of an address to his Majesty. Address to his Majesty.
10. Of two commissions from the burgh of Dingwall the convention after hearing parties sustained that in favour of Col. Robert Monro. Commission, Dingwall.
11. Remitted to a committee to consider the missive. Committee, missive.
12. Remitted petition of the burgh of Inverness to a committee. Petition, Inverness.

5 July 1722.

EDINBURGH.
5 July 1722.
Commissions,
Annan
excused.

Alteration of
set of Inver-
ness.

13. Approved of commissions from Kirkaldie, Dunbar and Disart, and admitted excuse from the burgh of Annan.

14. The committee appointed to consider the petition from the burgh of Inverness concerning the alteration of the set of their burgh reported that they having met and considered the same, with the act of their toun council thereanent, and having considered the conventions manner of proceeding in like cases, they were therefore of opinion the convention should ratifie and approve of the said alteration. Which being considered by the convention they approved of the said report and hereby enacts and ordains that in all time coming the six incorporat trades, that is to say the hammermen, wrights, skimmers, shoemakers, taillors and weavers, shall have each of them a deacon to be elected annually in the same manner as their visitors are at present, with this difference that the deacons must be chosen annually on Munday in the week preceeding the election of the magistrats and council. Item, that in presence of the provost, or ane of the baillies to be named by the council, the deacons so chosen shall annually elect one of their number to be deacon conveener who as such shall be of right a member of the toun council. Item, that at the annual election of the toun council tuo more of the deacons for that year shall by the toun council be elected to serve as councilers so that of the trades deacons, three, including the deacon conveener, shall always be members of the toun council and no more. Item, that no other alteration shall be made in the set of the toun then is above exprest and that the council shall consist of no greater number than the twenty one councilers as before and that this present regulation shall take place at Michalmas ensueing. Against which Dundie protested upon these grounds, (1) that he apprehended it was at least doubtful if the convention had power to alter a set that had been established formerly by approbation of the royal burrows more than fourty years 'agoe after a deliberat enquiry into the intrest of the toun and hearing all parties concerned and since confirmed by a fourty years possession whereby the gildrie had ane established right to be such a number of the council which could not be taken from them at least without the consent of the

whole brethren of the gild, and yet more especially since differences in the toun had been settled and determined by a decreet arbitral in the year j^m vij^c and nine, and that he conceived the convention had no more power to alter their own decreet arbitral than any other arbiters whatsoever; (2) that the going in so precipitantly to alter the set of a burgh was as he conceived a dangerous presedent and might be pernicious to the liberties of the burgh, since at this rate it might be in the power of a toun council to have the set of the toun altered at pleasure, whereby the sets of burghs which ought to be perpetual rules of administration would turn precarious and alterable at the pleasure of every magistracy and council, and that a magistracy may find it convenient for private ends, such as continuing themselves or friends in the magistracy, to have alteration made in the set noways advantagious for the commone weel of the burgh, and whither that may be the concern as to the present alteration was what the convention could not know without further enquiry and information then what they had yet got, no more being before them but ane act of eleven councilers which might be a thing unknown to the half of the gildrie; and (3) that the alteration proposed, as it was ane incroachment upon the established right of the gildrie so it was unreasonable in itself, since it gave the election of tuo of the trades councilers proposed to be brought into the council itself which tendeth directly to hurt the liberty of the touns freedom of election as giving the old magistrats and council the opportunity to secure tuo new councilers such as would be creatures of their own and would go into any new election they thought proper; for which reason he protested against the alteration made of the set of the toun of Inverness, to which protestation Aberden and Couper adhered.

EDINBURGH.
5 July 1722.
Alteration of
set of Inver-
ness.

15. Approved of commission from the burgh of Burntisland.

Burntisland.
Conservator

16. Remitted petition from the conservator to a committee.

17. Remitted to a committee consideration of an article in the missive anent a measure by which herrings are to be sold.

Herrings.

18. The committee appointed to consider the petition from Mr Andrew Kennedy, conservator, having met and considered the same reported that being sensible of the inconsiderableness of the dues by reason

Conservator,
£100.

EDINBURGH.
5 July 1722.
Conservator,
£100.

that the staple port is not duly observed, they were therefore of opinion the convention should appoint the said conservator to make a condescendence against the next annual convention what dues he has received for some years past, and in the meantime continue the duty of one per cent to him for two years and ordain the factors to uplift the same as formerly, and to enable him the better to support his character as conservator they were of opinion the convention should appoint their agent to pay to him the sum of ane hundred pounds sterling; which being considered by the convention they approved of the said report, against the continuance of which duty of one per cent the commissioner for Aberden protested.

6 July 1722.

Heads of
missive con-
tinued.

19. [On report of the committee appointed to consider the missive certain articles were continued till next convention. The article as to the insufficient curing of herrings was] abridged in this manner, viz., that all effectual care be taken of the insufficient curing, packing, &c., of herrings that the reputation thereof may be raised abroad, particularly at Hamburgh where his Majestie hes obtained considerable priviledges in our favours, and that the acts of parliament and tuenty seventh act of the general convention anno j^m vij^c and ninteen relative thereto be put to due execution. [Anent the article as to the condition of the burgh of Selkirk with the report of visitors thereanent, and the 20th act of the general convention 1720 the convention approved of the committees report whereby] they find the allegations in their petition to be verified and that the case of the said burgh is very clamant and are therefore of opinion the convention should take the same under their consideration and give them such relief as they shall think proper before they dissolve.

Dundie.

20. Having heard report of visitors anent the state and condition of Dundie the convention appointed a committee again to visit the burgh and report.

Herrings to be
sold by mett.

21. The convention considering that the fishers selling fresh herrings by number and not by measure, is not only the occasion of fraud but also a great encumbrance upon trade, as also that there is a measure containing sixty six pints which has been used in Murray Firth and adja-

cent coasts whereby herrings has been sold with measure is agreeable also to the west country burrows, and that there is a measure commonly called a mett, reckoned to contain fourty two pints, five fulls whereof commonly pass for a thousand herrings, by which those in the Firth of Forth sometimes do sell their herrings and is agreeable to them ; therefore the convention do statute and ordain that for hereafter in all the burrows of this kingdom fresh herrings shall be sold by met and not by tale, viz., in the north and west as said is by the measure commonly called the barrel containing sixty six pints, and in the Firth of Forth by the measure called the mett containing fourty two pints; and to the end this act may be the more punctually observed recommends to the magistrats of the respective burrows not only to execute the same within their own bounds but to use their utmost endeavours to bring unfree traders in contiguous places to the uniforme use of what is hereby enjoyned ; and in order to the more speedy and effectual observance hereof the convention recommends to the magistrats of the severall burrows to publish twice in the year this present act at such time as shall seem to them most convenient that none may pretend ignorance, and to put the same to due execution under the penalty of ane hundred pounds Scots, and to report their diligence herein to the next annual convention, and this to be a head of the next annual missive ; and the convention appoints this present act to be printed and copies thereof transmitted to the severall royal burrows.

EDINBURGH.
6 July 1722.
Herrings to be
sold by mett.

22. The convention recommends to such of the royal burrows as have not as yet taken the measure called the jugg from the burgh of Stirling to call for the same betwixt and the next annual convention.

Measure called
the jugg.

23. Approved of commission from the burgh of Cullen.

Cullen, com-
mission.

24. Remitted to a committee to consider the agent's accounts and report.

Accompts.

25. The convention upon report of the committee approves of the draught of ane address to be presented to his Majesty, the tennor whereof followes :—May it please your Majestie,—We the convention of your Majesties royal burrows of Scotland humbly crave leave now when assembled in our annual meeting to testifie to your Majestie our just abhorrence of the wicked designs of such of your undutyfull subjects as have in concert with traitors abroad conspired to disturb the peace of

Address to his
Majestie.

EDINBURGH.
6 July 1722.
Address to his
Majestie.

your dominions by raising a rebellion in your kingdom of Great Britain which have been so happily discovered by your Majesties great care and prudence.

The concern for our holy religion which engaged your Majesties royal burrows to act a zealous and vigorous part in promoting the reformation from popery, the lively impressions they still retain of the danger their rights and priviledges were brought under before the late happy revolution, when magistrats were imposed upon severals of them by the dispotick power of the soveraigne contrary to the publick laws, the firme persuasion they have that trade and commerce in which they are so particularly concerned cannot flowrish in Britain but under a moderat and well regulat administratione, must forever determin them to act with their outmost vigour and steadiness for support of a government which was founded upon principles of liberty, which hath been established by a prosecution of the same generous maxims, the exercise of which when lodged in the hands of a protestant prince who makes it his pleasure as well as his glory to receive no other obedience than what the law commands, must give the greatest security to the religion we so much value and the fullest assurance to your Majesties royal burrows of the preservation of these privileges which the wisdom of your Majesties predecessors thought proper to bestow upon them and which only arbitrary princes endeavoured to destroy. May it please your Majestie, your Majesties most dutyful, most faithful, and obedient subjects and servants. Signed, [etc.]

And the convention appoints the lord provost of Edinburgh, their preses, to signe the same in name and presence of the convention to be transmitted by him with a letter to the principall secretary of state.

Allaway.

26. Having considered petition from the town of Allaway the convention supersede diligence against them as to the additional shilling laid on them for the communication of trade, and remitted to the annual committee to consider their circumstances and to cite them and other burghs of barony and regality to attend next annual convention at the alteration of the tax roll.

Linlithgow.

27. On petition in name of a majority of the town council of Linlithgow the convention appointed a committee to meet there and inquire into the facts, and if parties decline to submit the differences to their determination to declare them "contemners of the priviledges of the royal burrows" in terms of the [42] act of convention 1706.

28. Having considered a petition from the inhabitants of Fortrose with two different sets of that burgh, the convention appointed the last recorded set, made in 1717, "to be expunged out of the records of the royal burrows as scandalous and the first set to take place and be inviolably observed in all time coming." EDINBURGH.
6 July 1722.
Fortrose.

29. Granted warrant to the burgh of Kirkaldie to set or feu the lands of Easter Muirhouse, the tenants then in possession having become insolvent.

7 July 1722.

30. Having heard a memorial from the conservator anent transgressors of the staple port the convention appointed their agent to take extracts out of the custom house books of the several entries for export from all parts of Scotland of all staple commodities within the seventeen provinces to be laid before next annual convention; and recommended the due observance of the staple port in time coming.

31. Appointed the agent to be allowed £50, 1s. 3d. in his accounts, being disbursements by William Hamilton, agent at London, against which the commissioners of Aberdeen and Dundee protested. Agent at
London.

32. The committee on the missive having reported "the clamant condition of the burgh of Selkirk" the convention appointed the agent to pay £25 sterling "to be applied to the bringing in of the water and other publick works within the said burghs." Selkirk, £25.

33. The convention having considered tuo memorials from the burgh of Burntisland, the one from the greatest number of the inhabitants subscribing, the other from a great many of the members of their toun council, desiring several rectifications in the set of their said burgh, and the convention having heard the said rectifications proposed and the tuo contending parties in the said burgh being called in and no objections made against the said particular rectification, and the convention having seen their council books and it not appearing from them that the former set was sufficiently warranted from the saids books nor from the laws regulating the elections within burgh, they statut and ordain that in all time coming they shall observe the alterations following, viz. :—(1) that none be capable of the magistracy but merchants and actual traffickers bearing scot and lot within the said burgh; (2) that no magistrats be continued longer than tuo years at once; (3) that three of their gild council be annually changed; (4) that no deacon shall continue above tuo years together, and that the deacons be annually chosen upon the Burntisland,
sett of the
burgh.

EDINBURGH.
7 July 1722.
Burntisland,
sett of the
burgh.

Thursday preceeding the election of magistrats, at ten in the forenoon, at the usual place of their elections. And appoints these alterations to be inviolably observed in all time coming as a part of the rules for their elections to take place at Michalmas next.

Agent's
accmpts,
Allan Ramsay,
poem.

34. Report on the agents accounts from July 1721 to July 1722 submitted. The agent charges himself with last year's balance of £902, 15s. 3d. and £14,000 of missive dues, and the discharge amounts to £14,182, 19s. 7d. Amongst the payments the following item occurs: "By gratuity to Allan Ramsay for writing a poem, £120."* The accounts are made out in Scots money.

An elections
of members of
parliament.

35. The convention considering the many incroachments on the rights of the royal burrows at the last election for members to serve in parliament by the sheriffs, particularly that severals of them tho the writs directs them to issue their precepts to the burghs for electing their deligats forthwith and even tho severals of them were required under forme of instrument to issue the same, yet they perempterly refused to issue out such precepts till some few nights fixed by law for the election of the member to serve in parliament, while some of them by themselves or their agents were using most unwarrantable methods to influence the elections and whereby the delegates of some of the burrows could not possibly be present at the place of election; the convention judging these arbitrary incroachments to be utterly subversive of the rights and priviledges of the royal burrows and destructive of the freedom of elections, and that it was therefor necessary to make application to his Majesty and to the parliament for providing a proper remedy thereto, resolved that the annual committe shall be impowered and they are hereby autherised, impowered and required, to apply to the honourable house of commons at their very first siting to do business by address a petition representing the grievance and praying that the act of parliament directing the shirrefs in England to issue their precepts within three days after receipt of the writs may be in express words extended to Scotland, that as the day for electing of the representative to serve in parliament is fixed to the thirty day from and after the test of the writs it may be like-

* The title of the poem referred to is "On the Prospect of Plenty: A poem on the North Sea Fishery," and is inscribed "To The Royal Burrows of Scotland." It was written in 1721 and will be found amongst the poet's published works.

wise enacted that the day for the severall burrows their electing their delegats may be fixed to the tenty day after the test of the writs even tho the sherrifs should neglect to issue their precepts to that purpose, or to such other day as to the wisdom of the house shall seem meet, and this but prejudice to such of the royal burrows as have been leised at the time of the last elections to seek redress in such manner as they shall think proper, and the convention appointed the respective royal burrows to writ to the members of parliament representing their severall districts for concurring with and assisting in obtaining redress of the said grievance.

EDINBURGH.
7 July 1722.
Anent elections
of members of
parliament.

36. The commissioner for Inverness gave in [the following] answers to the protest taken on 5th inst. be the commissioner for Dundie against the alteration made of the set of Inverness :—

Answers by
Inverness to
Dundie's pro-
test.

(1.) The powers of the convention for giving or altering sets of the burrows where sets are not settled by their charters or by act of parliament is expressly founded upon severall acts of parliament and confirmed by their immemorial custome; that the set of Inverness is neither founded on their charter nor act of parliament but was given them by the convention and that decree establishing the said set by no means can have the effect of a decreet arbitral but is alterable upon good relevant grounds by the convention; that the act of the toun council of Inverness produced proves the gildrie to be consenting, and in effect is a new submission made by all parties which warrants the decision of the convention even tho the former decree had the whole effects of a decreet arbitral, as it plainly has not.

(2.) The procedure of the convention is regular and deliberat and cannot be attended with any ill effect, and noways renders the constitution of a burgh precarious or is anyways pernicious to its liberties, for the case by the said act of council is fully laid before the convention and whereby all parties were certiorat and sisted. The reasons inforcing the alterations are farely set forth and which have convinced the convention that the said alteration is most just and equitable and beneficial to the burgh of Inverness.

(3.) The alteration is agreeable to the whole community of Inverness, for tho all of them are presumed to have known that the same was to be

EDINBURGH.
7 July 1722.
Answers by
Inverness to
Dundie's pro-
test.

laid before the convention for their approbation none of them have appeared to object against it, nor indeed is it possible that with reasons they could for no man that knows the least of the constitution of the royal burrows can fancy that the gildrie could have any objection to admitting the trades to so small a part of the administration. The concession in this case from the gildrie to the trades is very small, being only the admitting into their council three trades councilers and two of these to be chosen in effect by the gildrie themselves, the town council representing them, and the old magistrats and council can have no more influence over two trades councilers than they could have over two merchant councilers, but on the contrary much less, for two of these trades councilers are to be chosen out of the deacons who are chosen by the corporations, whereas in the other case the magistrats and council would be at liberty to choose their merchant councilers out of the whole gildrie who would be most fit for a private view.

Annual com-
mittee
appointed.

37. Appointed a committee to sit after the dissolving of this convention to consider what is remitted to them and everything relating to trade, the unfree traders and the staple port, and to determine in all differences amongst royal burghs.

Unfree trade
tax roll.

38. Instructed the annual committee forthwith to consider the state of the unfree trade and give instructions to the agent thereanent; and to give due advertisement of the intention to settle a new tax roll in July next.

Privileges of
royal burrows,
votes.

39. Remitted to the annual committee "to take what measures shall appear reasonable to them for preserving the privileges of several of the royal burrows who have been denied votes with the free holders in the particular shires for such lands as belonged to them lying locally within the shire, or for what lands belong to their mortifications."

Salaries and
gratuities.
Convention
dissolved.

40. Appointed the agent to pay certain salaries and gratuities.

41. Dissolved the present meeting, and appointed next general convention to be held at Edinburgh on the first Tuesday of July next.

MEETINGS OF COMMITTEE *held at* EDINBURGH.

19 July 1722.

EDINBURGH.
19 July 1722.
Sederunt.

Edinburgh, Archibald M'Aulay; Ayr, Robert Moor; Whithorn, John M'Gouan; Rothsay, George Drummond; Sanquhar, George Irving; Dingwall, Col. Robert Monro; Inverarie, James Nimmo.

1. John Wightman of Malslie, lord provost of Edinburgh, elected preses.

EDINBURGH,
19 July 1722.
Preses.

2. The committee considering that upon application made to the last annual convention a committee was appointed to meet at the burgh of Linlithgow upon the eighteen instant to use their utmost endeavours to accomodat differences amongst the magistrats and inhabitants there which had arisen to a great height, and understanding that Provost Hamilton and others had procured a sist of advocation from the Lord Pancaitland and so stopt the meeting, the committee thinks the priviledges of the royal burrows thereby leised, and therefor appoints a memorial to be presented to the lords of council and session representing the matter and their preses to signe the same and to be recorded, whereof the tennor followes.

Priviledges of
royal burrows,
Linlithgow,
memorial to
Lord Pencait-
land.

Memorial for the committee of the royal burrows of Scotland.—
To the right honourable the Lord Pancaitland. Upon ane application to the general convention of royal burrows which sat in this instant July, by baillie Smith, baillie Main and others the magistrats and toun council of Linlithgow complaining of diverse gross abuses and irregularities in the government of the burgh committed by Provost Hamilton and his adherents, tending directly to the overthrow of the constitution of the burrow and the disquiet and disturbance of it's inhabitants, it having been represented that Provost Hamilton and the other persons complained of, could not properly be put to answer during the siting of the convention, because they were necessarily taken up in defence of a criminal prosecution in the court of justiciary, the convention resolving to do what in them lay pursuant to the powers vested in them by the laws of the land and pursuant to the constitution of the royal burrows and the uniforme practise of the convention in such cases for removing differences and reestablishing peace and tranquillity in the place, appointed a select committee of their number, consisting of the representatives of diverse the most considerable cities and burghs of the nation to repair to Linlithgow, to hear parties upon the place and to try whether they would lay their differences before the said committee in order to ane amicable accomodation, with power to the said committee in case of either parties refusall to come into such settlement to declare the party so refusing disturbers of the peace of the burrows. The provost it seems and the other persons complained on, being apprehensive that the enquiry

EDINBURGH.
19 July 1722.
Priviledges of
royal burrows,
Linlithgow,
memoral to
Lord Pencait-
land.

intended by the royal burrows might not prove for their advantage, presented to your lordship a bill of advocation, and that bill is ordered to be seen and answered, and in the meantime procedure is sisted.

The memorialists cannot apprehend that they are the party on whom it lyes to answer this bill. However, since the tendency of the bill is to bring under disput ane act of the general convention, they take it to be their duty, as the committee appointed by that convention, to offer in this memorial such considerations as they hope will determine your lordship not to make any act or order that may obstruct the convention in the just exercise of the powers that by law belong to them, or that may incourage burgesses in any contempt of their authority. No person who knows aught of the constitution of the royal burrows can doubt that they, assembled in a generall convention, have a superintendency over the conduct of each individuall burrow and a substantial intrest to inquire into and prevent any disorders that may threaten mischief to the com-mone well or constitution of any of the burrows that compose their number.

The convention has nevertheless used this authority so gently as not to take upon them finally to determine such differences when they arise unless the parties acquiesce in their decision, nor have they caryed the matter any further than to enact that contending parties should lay their differences before them or their annual committee in order to ane essay whether those differences cannot amicably be composed before they cary their disputes so high as to go to law, which generally promotes dissention and animosities ruinous to the common intrest of the burrow, as they are destructive of that harmony and good understanding amongst fellow cityzens by which alone trade and manufactures can thrive.

As this constitution is unquestionably expedient for the well of the burrows so is it binding upon the whole, having been agreed to by the representatives of all the burrows vested with full powers to that effect in the convention 1706 and in particular by the representative of Linlithgow who subscribed the act.

It is obvious that disputes among citizens can best be removed by the intervention of their neighbours known in their constitution and in

their commone concerns, and if the rule above-mentioned were regularly observed it is very apparent those dissensions which have of late given the civil courts so much trouble would not have run to that height of contention that has appeared in diverse burrows.

EDINBURGH.
19 July 1722.
Priviledges of
royal burrows,
Linlithgow,
memoral to
Lord Pencait-
land.

Upon the complaint of the magistrats of Linlithgow first above-mentioned the generall convention was tyed by their own rules to act as they have done. A committee they autherized to inquire in the most proper manner into the confusions in the place. That committee had power to settle the disputes only in case the contending parties agreed to lay their case before them, and if either party refused so to do they were at liberty to go to law, but then the committee was in the terms of the act of convention 1706 to censure their conduct.

What gives any colour to the provost's complaining of this proceeding is that processes have been caryed on before the court of session on the subject of these debates, and it would look as if the royal burrows intended to interpose and to act authoritatively in carying away a cause that is already stated in judgement before that sovereign court. But in this the provost mistakes the matter altogether. The memorialists do not pretend that they have power to cary a cause from the lords of session but they believe they have undoubted right, pursuant to the act of convention, to interpose their good offices in order to take away the differences amicably, and with submission they think they neither can nor ought to be hindered to make ane essay of that nature which neither stops proceeding befor the lords nor can take the determination of the cause from them otherwise than by consent of parties. This being the case the memorialists humbly believe the act of the generall convention appointing the committee as is above mentioned, being altogether legall and regular, and founded on the rules and constitution of the royal burrows, ought not to have been anyways hindred from taking its proper effect and that regularly it is not the subject of suspension or advocation.

Causes depending before inferior courts can alone be advocated whilst they are in dependance there. Here was no cause, no dependance. The act of the convention was a prudent expedient act of administration for preserving the intrest and promotting the wellfare of Linlithgow, a member of the body of burrows. This act was compleat the moment

EDINBURGH.
19 July 1722.
Privileges of
royal burrows,
Linlithgow,
memorial to
Lord Pencait-
land.

that it was past in the convention, wherefor it implys a contradiction to suppose that there lay ane advocation of it.

The memorialists take the liberty to observe that the provost is under a mistake when he suggests that the convention shewed its partiality in directing that he and his friends should be censured in the terms of the act 1706.

The convention could not have forseen that the provost would have declined to give account of his proceeding to the committee. The order is indefinite to censure the party recusant and it is the provost's refusall only to comply with the constitutions of the royal burrows that can draw the censure on him.

Upon the whole your lordship it is hoped will be satisfied that the convention of the royal burrows have undoubted right to take care of the intrest and constitution of every individuall burrow, and that their legal endeavours to that end may be profitable to the whole. If any discontented burges shall have it in his power by offering a suspension or advocation of course to stop the proceedings of the royal burrows or the committees very little advantage can for hereafter be expected from their resolutions, and that convention which has for several ages stood established with powers fit to promote the commone well and publick intrest of the burrows by being rendered useless will rather become a burden then ane advantage to that state. Wherefore the memorialists hope your lordship will be very tender of doing anything on occasion of the present bill of advocation which may have so general ill consequences.

10 January 1723.

10 January
1723.
Sederunt.

Edinburgh, Archibald M'Aulay ; Dundie, David Jamison ; Stirling, James Johnston ; Glasgow, Andrew Ramsay ; Hadingtoun, Mr James Dods ; Kirkaldie, Mr James White ; Innerkeithing, John Cant ; Kinghorn, Robert Hamilton ; Renfrew, Mr John Cochran ; Disart, James Greg ; Dunbar, James Fall ; Banf, Andrew Hay ; Withern, John M'Gouan ; Northberwick, Mr Hugh Dalrymple ; Sanquhar, George Irving ; Queensferry, George Hill ; Inverarie, James Nimmo ; Campbeltoun, John Hog.

Preses.

1. The lord provost of Edinburgh elected preses.

2. The lord Provost of Edinburgh acquainted the committee that he had received a letter from the magistrats of Glasgow dated the twenty sixth of December last signifying that the merchants of London, Bristol, and other touns in England, were making attempts to deprive our country of the tobacco trade, therefor desiring the committee might be called to meet this day for using their endeavours to prevent such attempts upon so valuable a branch of trade; which being read, together with a missive from the lord provost to the members of the committee for their meeting accordingly, they remitted to the commissioners from the burghs of Edinburgh, Stirling, Glasgow, Kirkaldie, Renfrew, Sanquhar, Inverarie, and Campbeltoun, as a subcommittee to consider the subject of the said letter and every other thing remitted to the committee by the convention of the royal burrows in July last and to report.

EDINBURGH.
10 January
1723.
Tobacco trade.

11 January 1723.

3. The sub-committee [submitted the following draught petition to parliament and reasons in support of the same; and the committee approved thereof and directed the petition to be transmitted to the members of parliament representing the burghs for their concurrence:—]

Petition of
parliament,
tobacco trade.

To the honourable the commissioners of Great Britain in parliament assembled, the humble petition of the royal burrows of Scotland sheweth,— That the frauds committed in the trade of tobacco being presently under your consideration, papers have been handed about among your members charging the Scots merchants solely with these frauds and boldly asserting that the English merchants have found a great decay in the consumption and sale of their tobaccos imported into England from the vast quantities of tobaccos imported into Scotland and from thence brought to several parts of England and sold at lower prices than the crown ought to receive for the customes upon the said commoditie if duly entred at importation, and pointing at a re-entry of all tobaccos that shall be brought from Scotland to England or from England to Scotland, and confining the importation of all tobaccos from abroad to fixed ports as regulations for keeping that trade upon an equality betuixt England and Scotland and for preventing of frauds against the revenue.

EDINBURGH.
11 January
1723.

Petition of
parliament,
tobacco trade.

That the privilege both by exportation and importation for very valuable considerations by several acts of parliament befor the union is vested in your petitioners.

That by the fourth article of the union it is provided that all the subjects of the United Kingdom shall from and after the union have full freedom and intercourse of trade and navigation and from any place or port within the United Kingdom and the dominions and plantations thereto belonging, and by the twenty first article our rights and privileges as they then were are to remain intire after the union and notwithstanding thereof.

That your petitioners being thus interested in the foreign trade of Scotland most humbly beg leave to represent that where frauds are committed in any branch of trade does not only prejudge the revenue but also must destroy fair traders; that frauds in the forsaid branch of trade may be committed both in England and Scotland is most certain, but we humbly presume that such regulations pointed at as aforsaid will not prove effectual and will put the merchants of Scotland under such great hardships as will inevitably disable them to carry on any part of the tobacco trade which is the most valuable branch of trade left them.

That your petitioners do heartily desire that the most effectual course be taken for discovering and punishing all frauds practised against the revenue in the tobacco trade and for securing the revenue in all time coming, at the same time most assuredly depending upon the great justice and wisdom of this house that their rights and privileges secured to them by the treaty of union shall remain safe and intire, and that only such expedients shall be fallen upon for securing the revenue as may leave the fair traders upon ane equal footing and so as the general intrest of trade and fair dealers may be neither ruined nor hurt for the crime and villany of a few smugglers.

Wherefore we humbly pray that this honourable house will be pleased to order the frauds practised against the revenue as well in England as in Scotland to be strictly and impartially enquired into, that those who are guilty be effectually punished, and that only such expedients may be used for securing the revenue against frauds as may be consistent with the rights of your petitioners and with the equality and general intrest of trade and fair traders.

23 January 1723.

EDINBURGH.
23 January
1723.

Edinburgh, Archibald M'Aulay; Dumbarton, Mr George Smolet; Banf, Mr Andrew Hog; Inverara, James Nimmo; Campbeltoun, John Hog. Sederunt.

1. John Wightman of Malslie, lord provost of Edinburgh, elected preses. Preses.

2. The preses laid before the committee a representation presented to him by some merchants in Montrose shewing that by ane act of the fifth of the King a provision was made for giving a bounty upon all dried cod fish, ling and hake, exported of any dimentions whatsoever, which at that time was the only species of dried fish known to be proper for a forreign market, but now the petitioners having made a tryal of drying and exporting another kind of fish called haddocks, they did export the same to Barcellona even under the discouragement of not haveing any bounty allowed them, and by the copy of the accompt sales produced it appeared that the same will do abroad and answer to good account, if a suitable bounty be established by parliament upon the exportation, therefor craving his lordship would lay this matter before the committee, and if upon consideration thereof they shall find the same reasonable and for the intrest of the trade of the nation that they would be pleased to lay the same before the honourable house of commons to have the bounty on cod fish extended to that part of small fish called haddocks; which being read and considered by the committee they remitted to the commissioners for the burghs of Dumbarton and Banf to bring in the draught of a letter to John Campbell, esquire, member of parliament for the city of Edinburgh, in relation to the said affair against their next meeting. Export of haddocks.

24 January 1723.

3. The sub-committee [in terms of the second act submitted the following draught of a letter to the member of parliament for Edinburgh, which was approved of and ordered to be transmitted]:—Edinburgh, 24th January 1723. Sir,—Some of the merchants of Montrose having made application to me by a petition seting forth that after making tryal of drying and exporting haddocks to Spain they found it was a trade, if duly encouraged by the government by being intituled to draw- Export of haddocks.

EDINBURGH.
24 January
1723.
Export of
haddocks.

backs as other fish are, might turn to a good account. I did according to the prayer of the said petition lay the same before the committee of the royal burrows, who were of opinion that if the drawbacks appointed by law upon cod, hake and ling, were also extended to haddocks it would be of great benefite to this kingdom; and being informed that one of the said merchants has gone to London to solícite this matter the committee do expect and desire that you'll second him with your intrest and recomend his affair to the honourable parliamentary men for the royal burrows, it being their more particular concern to have the law with respect to drawbacks extended to haddocks. I am, [etc.]

22 May 1723.

22 May 1723.
Sederunt.

Edinburgh, Archibald M'Aullay ; Whithern, John M'Gouan ; Cullen, John Philp ; Sanquhar, George Irving ; Inverarie, James Nimmo ; Campbeltoun, John Hog.

Preses.
Unfree trade,
tax roll.

1. The lord provost of Edinburgh elected preses.
2. The agent reported that he had his accounts of the unfree trade ready to be laid before next meeting which the committee appointed to be held on 20 June, and that the burghs of barony and regality had been warned to attend at the alteration of the tax roll in July next.

GENERAL CONVENTION *held at* EDINBURGH.

EDINBURGH.
2 July 1723.
Sederunt.

Edinburgh, George Drummond and Andrew Wardrope ; Perth, William Austin ; Dundie, Mr Robert Dundas ; Aberden, George Fordice ; Stirling, James Johnston ; Linlithgow, Walter Hamilton ; St Andrew's, Mr David Monypenny ; Glasgow, John Aird ; Ayr, James Montgomerie ; Hadingtoun, Mr James Dods ; Disart, Colonel James Sinclair ; Kirkaldie, James Barclay ; Montrose, James Scott ; Couper, John Clark ; Anstruther-Easter, Sir John Anstruther ; Dumfreis, James Corrie ; Inverness, John Forbes ; Burntisland, George Thomson ; Innerkeithing, Henry Cunningham ; Kinghorn, Robert Hamilton ; Brechin, John Doig ; Irving, William M'Tagart ; Jedburgh, John Haswell ; Kirkudbright, John Kirkpatrick ; Wigtoun, James Lowrie ; Pittinueem, James Melvil ; Dunfermling, Mr John Walker ; Anstruther-Wester, John Lyell ; Selkirk, William Waugh ; Dumbarton, Mr George Smollet ; Renfrew, Mr John Cochran ; Dunbar, William Fall ; Lanerk, William Inglis ; Aberbrothock, James

Doig; Elgin, Robert Innes; Peebles, John Ramage; Crail, Thomas Smith; EDINBURGH.
 Tain, George, Master of Ross; Culross, Mr Patrick Erskin; Banf, Mr Andrew 2 July 1723.
 Hay; Whithern, John M'Gouan; Forfar, Alexander Binnie; Sederunt. Rothsay, George
 Gordon; Nairn, Robert Ross; Forres, Alexander Brodie; Ruthglen, David
 Scott; Northberwick, Sir Robert Dalrymple; Cullen, Mr George Ogilvie;
 Lauder, George Thomson; Kilrenny, Robert Waddell; Annan, Mr George
 Blair; Sanquhar, George Irving; Newgalloway, Colonel Thomas Dalzell; Ding-
 uall, George Monro; Queensferry, George Hill; Fortrose, Sir William Gordon;
 Kintoir, Robert Bruce; Inverurie, George Mearns; Inverarie, James Nimmo;
 Wick, Colonel Robert Monro; Kirkwall, Hugh Gyer; Inverbervie, James
 Cormak; Campbeltoun, John Hog; (three burrows *blank*).

2 July 1723.

1. John Wightman of Maulslie, lord provost of Edinburgh, elected preses. Preses.
2. Appointed a committee to revise the commissions.

3 July 1723.

3. The convention on report of the committee approved of all the commis- Commissions
 sions "except the commissions for the principall and assessor of the burgh of approven.
 Crail, the consideration whereof was delayed by the committee; reserving also
 to the convention's consideration the contempt put upon the royal burrows by
 the magistrats and toun council of the burgh of Burntisland in not obtempering
 their appointment in suspending the clerk of the burgh."

4. Approved of commissions from certain burghs, including that of Commission
 Anstruther Wester, as to the principal, but rejected the same as to the assessor, approven.
 he not being qualified.

5. Excused the burgh of Lochmaben for non-attendance of their commis- Lochmaben
 sioner as "he had met with ane accidental fall from his horse and so was unable excused.
 to attend."

6. The lord provost of Edinburgh, preses to the convention, reported Precautions
 that the commissioner for Edinburgh had communicat to the committee against landing
 a letter direct to the commissioners to the customes, whereof the tennor of ship
 followes:—Gentlemen,—The lords commissioners of his Majesties treasure affected with
 commanded me to transmitt to you the inclosed copy of a letter from plague.
 Guernsey of the 29th instant giving information of a ship therein
 described which is infected with the plague, and their lordships are
 pleased to direct you to give order to all the officers of the customes along

EDINBURGH.
3 July 1723.

Precautions
against landing
of ship
affected with
plague.

the coast of Scotland to use all possible vigilance to prevent the said ships coming into any ports of that kingdom. I am, gentlemen, your most humble servant. (Signed) H. Walpole. Treasury Chamber, 28th June 1723. (Addressed) Commissioners, customs Scotland. And the committee considering that it was necessar that intimation thereof should be forthwith made to all the royal burrows upon the coast of Scotland they had ordered the same to be printed and a letter subjoyned thereto to the several royal burrows to be signed by the preses as followes :—Edinburgh, 2nd July 1723. Much honoured,—The commissioners of the customs having this day received by express a letter from the lords commissioners of the treasury, with a copy of a letter from Guernsey which they were pleased immediatly to communicat to me, I thought it my duty to acquaint the committee of the convention of the burrows therewith who have directed a copy of the said letters to be sent you by express, and they hereby direct (upon receipt hereof) that you forward the packet to the next neighbouring burrow upon the coast by express, conforme to the labell hereto annexed, to be therewith transmitted for direction of the other burrows, in which you are to subscribe at what time this came to your hand and when the same is despatched from you, that you and the other burrows may take the proper precautions for preventing the said ships landing upon your coasts, and that you likewise without lose of time make the justices of peace in your neighbourhood acquainted therewith that thê same care may be taken in the several creeks and other places on the coast. Signed, [etc.] All which was done accordingly and transmitted to the several royal burrows in the most expeditious manner. Which being considered by the convention they approved thereof and gave his lordship and committee their hearty thanks for their care and dilligence in ane affair of so publick concern.

Missive.

7. Remitted to a committee to consider the general missive.

5 July 1723.

Articles of
missive.
Commissions
approven.
Tax roll.

8. Appointed certain articles to be continued in next general missive.
- 9-10. Approved of certain commissions.
11. Delayed consideration of the tax roll till this afternoon.

12. Having resumed consideration of the tax roll the convention ordained that £98 should continue for three years to be apportioned amongst the royal burghs as the same was divided in July 1718, and that the agent should pay the remaining £2 out of the money received by him from unfree traders for communication of trade. EDINBURGH.
5 July 1723.
Tax roll continued till
July 1726.

13. Remitted the agent's accounts to a committee to consider and report. Agent's
accmpts.

14. Remitted a petition from Burntisland to the annual committee. Burntisland.

15. Remitted to the same committee a representation from the Scots factors at London to bring in an overture thereanent. Scots factors
at London.

16. On petition from Aberbrothock complaining of the ruinous condition of their pier and harbour, &c., the convention remitted to a committee to visit the burgh and report how the money formerly given was bestowed. Aberbrothock.

8 July 1723.

17. On report by the committee on the agent's accounts from July 1722 to July 1723 the convention found he charged himself with £719, 15s. 8d. of last year's balance and £6,000 of missive dues, and that he discharges himself with £5,111, 1s. 2d., leaving a balance due to the burghs of £1,608, 14s. 6d., all Scots money. Agent's
accmpts.

18. The convention, "after much reasoning," rejected "a petition from Alexander Duff of Drummur and severall of the gildrie of the burgh of Inverness complaining of the alteration made of the set of their burgh by the last annual convention." Inverness,
petition re-
jected.

19. Remitted to the committee on the missive consideration of several matters relating to the state of unfree trade. Unfree trade.

20. Remitted to the same committee memorial from the conservator complaining that the staple port is not duly observed. Conservator's
memorial.

21. On petition from the burgh of Ayr complaining of their decay of trade and ruinous condition, the convention appointed a committee to visit the burgh and report their condition. Ayr.

22. The convention remitted to a committee to consider a petition from the burgh of Linlithgow and report. Linlithgow.

23. Granted liberty to the burgh of St Andrews to feu by public roup "a small piece of their commony of Pilmuir Links for building a house and garden." St Andrews.

9 July 1723.

24. On report by the committee under the 19th act the convention find that the payments made by the burghs of barony and regality since their first State of the
unfree trade
considered.

EDINBURGH.
9 July 1723.
State of the
unfree trade
considered.

agreement extends to £15,509, 6s. 10d. and that the arrears at 24th June last amount to £11,834, 11s. 7d. In last year's account the agent charges himself with the following sums, viz., received from the town of Greenock, £400; Kilmarnock, £163, 12s. 5d.; Borrowstounness, £994, 11s. 2d.; Peterhead, £140; Saltcoats, £434, 8s.; Aloa, £360—total, £2492, 11s. 7d. The discharge consists of cash paid to different parties for quartering, £120; printing circular letter and delivering same by several expresses, £160; payments to receiver, £1200; missive dues for 1723 and 1724, £400; balance due by agent, £612, 11s. 7d.—total, £2492, 11s. 7d.

Unfree traders
to pay their
proportion of
the tax roll.

[The convention also] find there are severall burghs of barrony, &c., rated in the tax roll, such as Kelso, Old Meldrum and Doun, who have renunced the benefite of the communication of trade and since that time have payed no part of the supply, and that Duncce, Caldstream and Falkirk have never been brought to the use of payment, and find that albeit by the act of parliament 1693 it is directed that all agreements anent the communication of trade should be made with the heritor or superior of the burgh of barrony in order to subject the place to the relief of the royal burrows in what part of the tax roll is undertaken at the first agreement or what thereafter the royal burrows shall rate them at, yet the transactions as appears from the records of the burrows are no other than ane act of convention mentioning ane offer to have been made for the communication of trade to such a place and ordaining the agent to accept thereof while there is neither a commission from the burrow to the offerer or contract betuixt the agent and him to be seen, and find the royal burrows are at a considerable loss in paying up to the government a sixth part of the land tax while the priviledge of trade which only induced them to take on this burden is promiscuously enjoyed by all the subject whither freemen or not, a very few only contributing to the payment of ane part of the ten pounds deemed by the parliament of Scotland to be the proportion which the unfree traders should relieve the burrows of for the communication of trade; therefore the convention remitted to and impowered the annual committee to be named to sit after dissolving of this present convention to take the proper measures and make the necessary applications for making the ten pounds effectual, and it being of great concern to the state of burrows that this be speedily and

happily brought about, therefor the convention authorized and appointed their agent to advance what money the said annual committee shall find necessary to be expended in the prosecution hereof. EDINBURGH.
9 July 1723.

25. On report of a committee the convention ordained the burghs of barony and regality and other unfree traders who have accepted of the communication of trade to pay the following proportions of the tax roll till July 1726, viz., Eyemouth, 2s.; Dunce, 1s.; Coldstream, 6d.; Doun, 6d.; Linktoun of Kirkaldie, 1s.; Dunnikeir, 6d.; Leven, altered from 1s. 6d. to 2s.; Ely, altered from 1s. 6d. to 1s.; Keith, 6d.; Dalkeith, altered from 3s. to 4s.; Prestonpans, altered from 7s. to 5s.; Borrowstounness, 8s.; Saltcoats, 3s.; Kilmarnock, 2s.; Killimuir, 2s.; Greenock, 5s.; Aloa, altered from 3s. to 2s.; Old Meldrum, 9d.; Turriff, 7d.; Frazersburgh, 2s.; Kelso, 2s.; St Ninians and Pomee's other lands, 6d.; Portsoy and parishes of Fordice and Keith, 6d.; Kilwinning, 6d.; Stonehive, altered from 1s. 6d. to 2s.; Airth, 7d.; Kockenny, 2s. Unfree traders
to pay their
proportion of
the tax roll.

26. On petition from the magistrates of Frazersburgh complaining that certain inhabitants refuse to pay their proportions imposed by the stentmasters of the town, the convention authorised the agent to concur with the magistrates in obliging the inhabitants to pay. Frazersburgh.

27. The commissioner for Kirkaldie reported that in terms of the 29th act of convention in July 1722 the burgh had feued the lands of Eastermuir houses and produced the feu contract which was approved of and appointed to be engrossed after this convention. The feu contract is dated 11 February 1723 and is in favor of James Oswald of Dunnykeer. The feuduty is £402, 10s. Scots yearly, and there is also payable 100 merks Scots on the entry of an heir and 400 merks Scots on the entry of a singular successor. Kirkaldie,
Eastermuir-
houses.

28. Remitted to the commissioners of Dundie and Aberdeen to bring in the draught of a letter to the magistrates of Campvere acquainting them that the burghs had been directed to observe the staple contract more duly in time coming. Letter to
magistrats of
Campvere.

29. Appointed the agent to concur with the burgh of Stirling in getting discussed the suspension by some of their burgesses of an act of the town council putting in execution the laws and acts of parliament anent woollen cloth. Stirling, sus-
pension.

30. On petition by the burgh of Kirkcudbright complaining that their trade was greatly decayed by the increase of trade in the adjacent parishes of Kirkbeon, Cowand, Boig, Anwath, Girthon, Kirkmabruick and Monygafe, and that they are pursued before the lords of session at the instance of some of their traders to subvert the set of their burgh, the convention allowed the burgh to pursue the unfree traders in said parishes and to apply what shall be recovered to their relief in the tax roll; and remitted to the annual committee to consider whether it be proper to concur with them in the process as to the set. Kirkcudbright.

EDINBURGH.
9 July 1723.
Dumfermling.

31. Having heard a petition from a considerable number of the burgesses of Dunfermline complaining of several grievances in the elections of magistrates and council, the convention appointed a committee to meet at Dumfermling on the 4th Thursday of August next and endeavour to compose the differences.

Conservator,
salary, staple
port.

32. The convention upon report of the committee appointed to consider the memorial from Mr Andrew Kennedy, conservator, complaining that the staple port is not duly observed and that thereby his casualties amounted to very little, the convention appointed Mr George Smollet, their agent, to pay to the said Mr Andrew Kennedy one hundred pounds sterling money, and ordained him to reside at Campvere unless the annual committee to be appointed for the staple shall be satisfied that his presence shall be necessary elsewhere for the service of the royal burrows; and appointed the severall burrows trading in staple goods to observe the staple port, with certification they shall be prosecute with the utmost severity in case they transgress the same; and the convention recommended to the several royal burrows to bring up lists of the transgressours of the staple against the next annual convention, and this to be a head of the next annual missive; and the convention recommended to such members of parliament as are members of this present convention to concur with and assist the said conservator in procuring from the government a salary to be settled upon him for the support of his character, and the convention declared that their giving the conservator the forsaied sum shall be no president in time coming.

10 July 1723.

Anent linnen
cloth and
woolen manu-
factories.

33. The committee on representation from the Scots factors at London anent linen cloth reported that the linen is whitened "with lime or some pernicious stuff to the ruin of the cloth" and is neither of sufficient thickness nor breadth. The Convention appointed the laws against such practices to be put in force, and ordered "that the makers put no less in each piece than twelve yards full yard broad and thicker than usual."

Irving, Kirk-
aldie, Inver-
ness, Kirkwall
Dumfermling,
Wick, Culross,
Forfar.

34-41. Having heard petitions from the following burghs the convention allowed them the sums after-mentioned towards their relief this year, viz., (34.) Irving, complaining of the decay of trade and their heavy proportion of the tax roll, allowed £8; (35.) Kirkaldie, complaining of their decay of trade and shipping, allowed £12; (36.) Inverness, complaining of their decay of trade and

shipping, allowed £14; (37.) Kirkwall, complaining of the ruinous condition of their houses, tolbooth and decay of trade, allowed £8; (38.) Dumfermling, complaining of the decay of their coal, allowed £4; (39.) Wick, complaining of their decay of trade, £2; (40.) Culross, complaining of decay of trade, allowed £2; (41.) Forfar, complaining of the decay of trade, allowed £4; all sterling money. All the burghs, except Kirkaldie, also complained of their heavy proportion of the tax roll.

EDINBURGH.
10 July 1723.

Irving, Kirkaldie, Inverness, Kirkwall, Dumfermling, Wick, Culross, Forfar.

42. Granted warrant to the burgh of Kirkaldie to set in feu their common good by public roup for augmenting but not diminishing their rental.

Kirkaldie, commonegood.

43. Appointed a committee to sit after dissolving of this convention to consider what is remitted to them, everything relating to trade, unfree traders and the staple port, and to determine differences amongst the burghs.

Annual committee appointed.

44. Appointed the agent to pay certain salaries and gratuities.

Salaries and

45. Dissolved the present meeting and appointed next general convention to be held at Edinburgh in July next.

gratuities.
Convention dissolved.

MEETINGS OF COMMITTEE, *held at* EDINBURGH.

11 July 1723.

The sederunt is left blank but the minute is subscribed by G. Drummond, Edinburgh; J. Nimmo for Inverara; Geo. Irving for Sanquhar.

EDINBURGH.
11 July 1723.

1. The commissioner for Edinburgh elected preses.

Sederunt.
Preses.

2. The committee anent the petition from the magistrats and town council of the burgh of Linlithgow shewing that the town of Linlithgow was erected in a free royal burrow by King Robert the second in the year 1389, with the grant of the port and harbour of Blackness and all rights and privileges thereto belonging, which charter was confirmed by King James the sixth giving to the burgh the sole liberty of packing, loading and unloading and selling staple and foreign commodities within the bounds of and betuixt the mouths of the rivers of Amond and Aven at the port of Blackness or burgh of Linlithgow only, excluding all other burrows or ports within the said bounds and shire of Linlithgow; all which was ratified by the Scots parliament 1594 and confirmed by King James the sixth after the union of the two crowns, then by King Charles the first, 1641, and lastly by King Charles the second in 1661. That the said burgh was in the possession and exercise of the said privileges

Linlithgow, Blackness, Borrowstounness.

EDINBURGH.
11 July 1723.
Linlithgow,
Blackness,
Borrowstoun-
ness.

by debarring unfree traders at any other port within these bounds, and Blackness was maintained and established as the sole port for loading and unloading foreign trade and staple commodities, the entries were made there and the customs by immemorial practice were there received, and in anno 1662 the lords of treasure by their act decreed that all entries on the south side of Forth above Leith should be made at Blackness as the only free port, and that the officers of customs should keep their office and make entries at the said port in all time thereafter, and also in anno 1687 the lords of exchequer declared that the then tacksman of the customs had acted unwarrantably in setting up the customs house at Borrowstounness and ordained againe to establish his office at Blackness; and true it is that notwithstanding of all the rights forsaid in favour of the burgh that the family of Hamilton having got their village of Borrowstounness erected in a regality they by their great power and influence have got the customs house removed from Blackness and settled the same at Borrowstounness, and the petitioners having applyed to the honourable commissioners of his Majesties treasury for settling the customs house at Blackness they by their reference written on the back of the towns petition presented to them dated in May 1721 have referred the said petition to the commissioners of his Majesties customs in Scotland who are to consider the same and report to their lordships a true state of the facts therein contained, together with their opinion what is fit to be done therein, and our town by decay of their trade (which is now solely at Borrowstounness) being in no condition to manage the said affair before the honourable commissioners of treasury and defray the great expence thereof unless they have the assistance of the honourable committee, therefore craving the committee to take the premises to their consideration and in respect of the decayed condition of their burgh and their utter inability to manage and carry on the said affair to ordain the burrow agent to concur with them therein at the expence of the royal burrows. Which petition being considered by the committee they sub-committed to the commissioners for Edinburgh, St Andrews, Innerkeithing, Sanquhar, and Inverarie, or any two of them, to consider the allegations of the petition and how they are verified, and being found verified to wait upon the inspectors of the ports of Scotland lately come

from London and the commissioners of his Majesties customs of Scotland and lay befor them the circumstances and case of the toun of Linlithgow and use their best endeavours to obtain justice done to the intrest of the said burgh.

EDINBURGH.
11 July 1723.
Linlithgow,
Blackness,
Borrowstoun-
ness.

3. The convention appointed the act of annual committee dated 13 February 1722 to be recorded in the town council books of Burntisland, and the accounts and vouchers of the burgh lying in the clerk's hands to be delivered up.

7 August 1723.

Edinburgh, Andrew Wardrope ; St Andrews, Patrick Lindsay ; Disart, 7 August 1723.
Col. James Sinclair.

Sederunt.

1. John Wightman, lord provost of Edinburgh, elected preses.

Preses.

2. Upon a representation by dame Janet Rocheid, relict of the deceased Sir David Dalrymple, his Majesty's advocate, that she was to clear accounts with her husband's factor who had uplifted some of her husband's salaries as assessor to the burghs, and desiring the sealed vouchers for certain years to be opened and inspected, the sealed vouchers having been produced and the seals found entire they were opened and the discharges wanted were "appointed to be put into the burrow register to the effect the said dame Rocheid might have extracts as probative writs," which being done the vouchers were resealed and returned to the clerks.

Vouchers of
accounts.

11 December 1723.

Edinburgh, George Drummond ; Dunbar, William Fall ; Rothesay, George Gordon ; Sanquhar, George Irving ; Inverary, James Nimmo ; Campbelton, 11 December 1723.
John Hogg.

Sederunt.

1. The commissioner for Edinburgh elected preses.

Preses.

2. The committee appointed by the last annual convention having mett and considered the affair of the unfree trade remitted to them, and finding the same is a matter of great importance to all the royal burrows and that therefor it is necessary there be a more frequent meeting of the members of the said committee, were therefor of oppinion that letters should be directed to all the members of the said committee to meet at the burgh of Edinburgh upon the twenty seventh day of December instant in order to consider what is propper to be done in the said affair, that some effectual relief may be procured to the royal burrows thereanent.

Unfree trade.

27 December 1723.

EDINBURGH.
27 December
1723.

Sederunt.

Edinburgh, George Drummond and James Mitchelson ; Dundee, Mr Robert Dundas ; Linlithgow, William Bell ; Ayre, Robert Wallace ; Dumfreise, James Corrie ; Dunbarton, Mr George Smollet ; Banf, Mr Andrew Hay ; Whithern, John M'Gowan ; Rothsay, George Gordon ; Northberwick, Mr Hugh Dalrymple ; Cullen, Mr George Ogilvie ; Sanquhar, George Irving ; Inverarie, James Nimmo ; Campbleton, John Hogg.

Preses.

1. The commissioner for Edinburgh elected preses.

Unfree trade,
subcommittee.

2. The committee appointed by the last annual convention, after some discourse anent the state of the unfree trade and as to the takeing proper measures and making necessary applications for makeing the ten pounds laid upon unfree traders effectually as was recommended by the last general convention, doe hereby subcommitt the consideration of the said affair to the burghs of Ayre, Dunbarton, Banf, Whithern, North Berwick, and Sanquhar or any three of them, recommending to the said subcommittee to receive any proposal that shall be given in to them by any member of the burrows, and to advise with lawiers in the said matter if they shall think proper, to the end a distinct overture touching the said affair may be laid before the committee at their next meeting, which they appoint to be on Tuesday next at three of the cloack in the afternoon.

31 December 1723.

31 December
1723.

Sederunt.

Edinburgh, George Drummond ; Pearth, William Ferguson ; Kirkaldie, James Barclay ; Dumfreise, James Corrie ; Culross, Mr Patrick Erskin ; Sanquhar, George Irving ; Campbletown, John Hogg.

Preses.

1. The commissioner for Edinburgh elected preses.

Committee
adjourned.

2. The preses reported that the subcommittee appointed at last sederunt had consulted lawyers whose opinion would be ready on Thursday next, whereupon the committee adjourned the meeting till that time.

2 January 1724.

2 January
1724.

Sederunt.

Edinburgh, George Drummond and James Mitchelson, conveener ; Kinghorn, Robert Hamilton ; Ayre, Robert Wallace ; Dumbarton, George Smollet ; Whithern, John M'Gowan ; Queensferry, George Hill ; Dundee, Mr Robert

Dundas ; Dumfreise, James Corrie ; Banf, Mr Andrew Hay ; Inverary, James
Nimmo. EDINBURGH.
2 January
1724.

1. George Drummond, dean of guild of Edinburgh, elected preses. Preses.

2. The preses submitted a report prepared by the sub-committee with the advice of lawyers under the remit dated 27 December last which report was approved of. [The report as amended is printed *infra* pp. 340-7.] Report in
relation to
unfree trade.

3. The committee doe hereby empower, authorize and appoint John Campbell, esquire, lord provost of Edinburgh, representative of the said city in parliament, Mr Robert Dundas, his Majesty's advocat, commissioner for the burgh of Dundee, and Mr Duncan Forbes, advocat, commissioner for the burgh of Inverness, to apply to the parliament in name of the royal burrows in order to obtain ane act or such clauses in ane act of parliament in their favours as may be necessary for obtaining the ends and purposes mentioned in the above report, and therein to take the advice and assistance of the representatives of the other royal burrows. Application to
be made to
parliament.

4. The committee appoints the commissioners for the burghs of Dundee, Inverness, Dunbarton, and Sanquharr, to waitt on the commissioners of his Majesties customs with all convenient dilligence and discourse them upon such parts of the forsaid report of the subcommittee as relates to the said commissioners, and also upon the subject of settleing the fees payable to the custom house officers, which has of a long time layen before them. Customes, sub-
committee.

28 January 1724.

Edinburgh, George Drummond and James Mitchelson ; St Andrews, Partrick
Lindsay ; Ayr, Robert Wallace ; Banf, Mr Andrew Hay ; Inverary, James
Nimmo. 28 January
1724.
Sederunt.

1. George Drummond, dean of guild of Edinburgh, elected preses. Preses.

2. The preses reported that the subcommittee appointed by the last sederunt to wait on the commissioners of his Majesties customs and to discourse with them anent the report formerly made to the committee in relation to unfree traders had accordingly waited on the said commissioners and laid before them a copy of the said report, which the said commissioners having perused they had taken the liberty to offer some amendments which they were of opinion would equally contribute to Unfree trade,
report by sub-
committee.

EDINBURGH.
28 January
1724.

Unfree trade,
report of sub-
committee.

the intrest of the royal burghs and the increase of the revenue and which they offered to the consideration of the committee; which being considered by the committee and they having deliberately read over the said report with the amendments they approved of the said amendments and appointed the said report as amended to be recorded in the burrow books and exact coppys thereof to be transmitted to the lord provost of Edinburgh, Mr Robert Dundas, his Majesty's advocat, and Mr Duncan Forbes, advocat, commissioner for the burgh of Inverness, who are impowered to apply for ane act of parliament in favours of the royal burrows or such clauses in ane act as may be necessary for obtaining the ends and purposes mentioned in the said report, and appointed the clerks also to deliver to the secretary of the board of customs ane copy of the said report as amended, and to send also a copy thereof to Mr William Hamilton, agent for the royal burrows at London, that he may concur with the forenamed commissioners intrusted with the manadgment of this affair in carrying on the same under their direction, of which report the tennor follows:—

Report to the annual committee of the convention of the royal burrows by their subcommittee appointed to consider of the rights of the royal burrows with relation to the carrying on of forreign trade and of the communication of those rights and priviledges to the burghs of barony and regality, and of the methods that might be proper to make that communication effectual.

Your subcommittee in pursuance of the reference made to them have had under their consideration the present state of the rights of the royal burrows with relation to the carrying on of forreign trade, and to the communication of those priviledges given by the acts of parliament to the burghs of barrony and regality, and what might be the proper method for makeing that communication of trade effectual soe as to relieve the royal burrows of the proportion of the land tax which was intended to have been payed by the burrows of barrony and regality to whom the priviledge of trade were to be communicated; and it does appear to your subcommittee that the exclusive priviledge of carrying on of forreign trade was given to freemen of the royal burrows of Scotland by a charter from King David anno 1124, and afterwards confirmed by parliament in

almost every after reign; that the exclusive priviledge of carrying on forreign trade hath likeways been given to the royal burrows by many acts of parliament and other persons inhibited to deall therein under high penaltys, and particularly that by the 84 act James 4th¹ none dwelling out of burrows use merchandize, nor top nor sell wine, wax, &c., nor staple goods, outwith burrows, under the pain of confiscation of their goods, and that by the 152 act 12th parliament, James 6th,² former acts on this subject are ratified, and it is of new statute that none exercise merchandize not being free burgesses, under the pain of confiscation of their whole moveables, half to the king and half to the burgh whose commissioners should apprehend (*i.e.* discover) the same, with ane exception as to landed men having merchandize for their own use but not for sale. There are several after acts of parliament to the same purpose, but by the 5th act 3d session 2nd parliament Charles 2nd³ the priviledge of the royal burrows was so far retrenched that by that act liberty is given to all his Majesty's subjects to export the native commodities of the kingdom, and to burghs of regality and barrony to export all their own proper manufactory or such goods as should be bought by them in fairs or mercats, and to all persons exporting the native growth of the kingdom to import in return of the goods exported or of the fraught and hyre of the ship, timber, iron, and other goods therein recited and all necessarys for tillage or building or for the use of their own manufacture. By the 12th act anno 1690⁴ the ancient priviledges of the royal burrows are revived and the said act Charles 2nd in part repealed, it being by that act 1690 enacted that the importing of all forreign commodities and merchandize does and shall belong to the freemen inhabitants of their Majesty's royal burrows allenarly, excepting such commodities as noblemen and barrons should import for their own use and no part thereof for sale, as likewise the priviledge of exporting by sea all the native commodities of this kingdom, excepting corns, coalls, metalls, salt, &c., and without prejudice to noblemen and barrons to export so much of the other native product of the kingdom of whatever kind as might answer to the value of commodities to be imported by them for their own use, and by this act the priviledge of retailing all forreign commodities is given to burghs of regality and

EDINBURGH.
28 January
1724.
Unfree trade,
report of sub-
committee.

¹ 1503, cap. 37.

² 1592, cap. 74.

³ 1672, cap. 5.

⁴ 1690, cap. 15.

EDINBURGH.
28 January
1724.

Unfree trade,
report of sub-
committee.

barrony provydeing they buy the same from freemen of royal burrows allennarly. In pursuance of ane act of the convention of burrows and contract entered into with Mr John Buchan ane act was made anno 1693,¹ entituled ane act for communication of trade, ratifying that act and contract of the convention and giving a communication of the priviledge of trade to the burghs of regalities, barronys and others, upon their paying or relieving of the royal burghs of a proportional part of the tax roll imposed upon them by act of parliament corresponding to their trade; but your subcommittee must observe that altho by the contract with Mr Buchan the proportion of the tax roll of which the royal burrows were to be releived was settled to be a tenth part, yet since the expyreing of that contract no proportion hath been settled nor indeed could well be while the acceptance of the communication remained voluntary, the said act 1693 having only appointed a just proportion to be payed but left that proportion to be settled by the convention and the particular burghs to be redressed by parliament in case of hardship done them; and altho ane other act was afterwards made in the 7th session of King William's parliament² inabling his Majesty to give out his royal commission to such persons as he should think fitt for settleing the quota of which the royal burrows were to be releived and proportioning that amongst the burghs of barrony and regality, yet that commission as to these heads never took effect. By the 19th act of that 7th session of King William³ the priviledge of royal burrows with regaurd to export and import is again acknowledged and declaired to belong to them and to such burghs of barrony and regality to whom the priviledges had been or should be communicated, exclusive of all others, with the same exception as in the act 1693 and with this variation that noblemen and barrons might export the native product growing or manufactured in their own land altho the same might exceed the value of commoditys imported for their own use, and with ane exception in favours of manufactories and societys for fishing. By the treaty of union the whole United Kingdom is to have the same priviledges and be under the same regulations as to trade, but at the same time by the 21st article of that treaty it is provyded that the rights and priviledges of the royal burrows as they then were doe remain intire after the union and notwith-

¹ 1693, cap. 51.

² 1698, cap. 39.

³ 1698, cap. 38.

standing thereof. From the compareing of all which laws your subcommittee are of oppinion that the present state of the royal burrows with regaurd to their priviledges of trade is that the exclusive right of importing and exporting all forreign commodities by sea, excepting corns, coalls, minerals, and others particularly excepted in the acts 1690 and 1698, is in the freemen and burgesses of burghs royal bearing burden with those burghs and in the freemen inhabitants of those burghs of barrony, regality or others, who have accepted of the communication of trade with regaurd to the inhabitants of Scotland, and under the exceptions allowed to noblemen and gentlemen by the said acts 1690 and 1698 of exporting the produce and manufactory of their own ground, as also of any other commodities in order to purchas goods to be imported for their own use, and under the other exception in favours of manufactories and fishing companys, but that the subjects of England are in virtue of the treaty of union intituled to import and export to and from Scotland all commodities whatsoever; but your subcommittee must observe that not many of the burghs of barrony or regality have accepted of the communication of trade and some of them have again renounced the benefit, as particularly the burghs of Kelsoe and (*blank*) and that most of those who have accepted of it and submitted to the releiving of the royal burrows of verry inconsiderable parts of the taxation, have nevertheless accepted in such a form and manner that your subcommittee are of oppinion the royal burrows would find a great difficulty in way of law to oblidge them to pay their proportions of the taxation if they shall think fitt to decline it, and the annual committee knows by the enquiry they themselves have made how smal a part of the taxation hath been made effectual from those burrows of barrony and regality and how great ane arrear lyes even upon them who have pretended to accept of the priviledge. Your subcommittee begs leave to observe further that the exclusive priviledges of the royal burrows with regaurd to forreign trade are pretty strongly asserted and established by the laws above recited, yet the manner of executing those laws against unfree traders that is provyded by them seems soe loose and impracticable that without some further remedy they doe not see that the priviledges of the burrows can be mentained or be made available to them, for by the

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acts that are now in force the royal burrows seem to have no other remedy compitent to them for preventing the unfree trade but to seize the goods of such unfree traders if found within their several jurisdictions, and to arrest such goods as shall be found without their jurisdiction illegally imported, in order to have the confiscation of them declared by a proces at law, but if the goods be not seized before they be disposed of in a fair way of trade it is a verry great question if the royal burrows can have any remedy. Your subcommittee must likeways observe that the trade of the royal burrows is now verry much decayed, which they attribute to the number of smugglers who without being freemen or members of any royal burgh, or even of any burgh whatsoever, carry on a hidden and running trade by importation of forreign commodities at private places where they have the assistance of their friends to run their goods and where the customhouse officers when they know of any such importation cannot be supported in doing their duty and soe are the more lyable to corruption and oft times oblidge to a connivance which tends equally to the hurt of the fair traders and royal burrows and to the revenue of the crown. And therefore, upon consideration of the present state of the royal burrows with regaurd to trade, your subcommittee are of oppinion that if some remedy be not provyded for more effectually mentaining the priviledges of the royal burrows there will be no preventing ane intire decay of their trade and of consequence that they cannot be able to support the burden of the sixth part of the general taxations they are by law subjected to and were made lyable to pay in consideration of the exclusive priviledges of trade that were given them. 2dly. That the suffering forreign trade to be lodged in the hands of persons who are members of the royal burrows or of no other burrows who have a legal freedom of trade is a verry great encouragement to the frauds that are committed against the revenue, these frauds being for the most part committed by persons who openly have not the name of traders, whereas if they were members of royal burrows or free burrows their dealings must be more open and known, the stent masters would have occasion to enquire into the extent of their trade whereby their frauds would be more easily discovered by a comparison of their inland dealings with their entrys made at importation, and

soe both the revenue have a greater security and trade be brought upon a more equall footing. 3dly. That for preventing these evils it may be fitt to make application to the commissioners of the customes and others in whom the power of settling the ports is by law lodged to have the places of importation confined as much as may be to the ports of the royal burrows and such ports as have accepted or shall hereafter accept of the benefit of communication of trade and shall become lyable to bear their proportion of the land tax. 4thly. Your subcommittee are of oppinion that it may seem a hardship and a prejudice to the nation and will be of the great benefit to the royal burrows to endeavour too much to restrain the priviledge of exporting the native produce and commodities of this part of the kingdom. 5thly. They are of oppinion that it may be propper to endeavour to procure from the authority of parliament a stronger and more effectual method of execution of the laws establishing the priviledge of the royal burrows with regaurd to the importation of forreign commodities since the defects seem to lye not in the want of laws to establish the priviledges but in the want of a propper method for execution and makeing them effectuall. And therefor, 6thly, your subcommittee is of oppinion that any act of parliament or clause in ane act that may be desired in this case should proceed on a verry short and general recital of the priviledges of the burrows preserved to them by the treaty of Union, and that the incroachment upon these priviledges have given great incouragement and easy opportunity to the running of goods and defrauding of the revenue as well as the discouraging of fair traders ; and the remedys which they submitt to your consideration are that ane act or clauses in some act of parliament should be endeavoured to be procured not leaving it intirely voluntary to the burghs of barrony and regality to accept of the communication of trade or not but giveing the benefit and priviledges of trade to such burghs of barrony and regality as have already accepted thereof and to such other burghs of barrony or regality as within a day certain to be limited should accept of the said communication, but these particular burrows should be mentioned in the act of parliament itself or a power given to (perhaps to the barrons of exchequer) within a term limited to consider what burrows should upon their acceptation have the benefit and ought to bear a part of the burden

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and to declare the burrows soe accepting to be entituled to the said communication of trade, and that from and after such determination these burrows should be subject to be taxed by the convention in the same way as the royal burrows are, provyded that it shall not be lawfull for any person or persons the freeman burges of a royal burgh or of any other burgh of barrony or regality that has accepted of the communication of trade to import any forreign goods or merchandize into this realm unless he or they are actually residentors or inhabitants in some royal burrow or burrow of barrony or regality that hath accepted of the communication. That if this cannot be obtained it may be enacted that all freemen burgesses of royal burghs and of such burghs of barrony or regality as are intituled to the communication of trade, and all officers of the customes who are by law impowered to make seizures of goods prohibited or run without paying the duty, shall be impowered and required to make seizure of any forreign goods imported by unfreemen contrair to the priviledges of the royal burrows and such other burrows as have accepted and shall accept of the benefit of the communication of trade and contrary to the other direction in the act, and to prosecute the same to a condemnation before any three or more of the justices of peace of the county where such seizure shall be made, with ane appeall to the quarter sessions whose judgment shall be final, and with power to the said justices of peace in case of condemnation and no appeall, or in case of the appeall being dismissed, to expose such goods to sale by cant or auction on such convenient day as they shall think fitt to appoint, and the one moyety of the produce and value after deduceing the charges of condemnation to belong to the maker of the seizure, one fourth for the use of the crown and the other fourth to be payed to the agent to the royal burrows for their use or to the thesaurer of the royal burrow next adjacent to the place of condemnation. That there should likewise be a proviso that where any goods are seized on suspicion of their having been imported contrary to the priviledges of the burrows if the proprietor shall within (*blank*) days appear before the principall officers of the customes in the next adjacent port to the place where the seizure is made and shall make oath that the goods when seized did belong to him in property and that he had purchased the same in a fair way of trade from a person whom he shall be

oblidged to name, and that the goods were lawfully imported by a free-
 man, and that the dutys payable to the crown have been duly payed or
 secured at importation, such goods shall be delivered to such proprietor
 making oath as aforesaid and answering to all such interrogatories as shall
 be put to him concerning the purchase of said goods, and that in case such
 officer of the customs shall refuse to take his oath when offered or the
 maker of the seizure to deliver the goods after oath duly made and certi-
 fied to him by the principal officer in the port to be so made, it shall
 be lawful to him to mean himself to any (*blank*) or more of the justices
 of peace of the county where such officer resides who upon the like oath
 being made before them are empowered and required to cause the goods
 to be delivered by the maker of the seizure or the value thereof with
 costs and damages. And be it further enacted that if the person
 making such oath shall in any matter or thing deposed by him answer
 falsely, such false answer shall be deemed and taken to be perjury, and
 the defender being thereof duly convicted according to the forms of the
 law of Scotland in the court of judicature shall suffer the like forfeitures,
 penalties and disabilities, as in the case of perjury is by the law of Scotland
 provided. The informer who carries his information on to conviction to
 be intitled to one hundred pound out of the first and readiest of the
 personal estate forfeited by the offender, if it extend to so much, over and
 above the charges of prosecution.

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 committee.

GENERAL CONVENTION *held at* EDINBURGH.

Edinburgh, George Drummond and James Mitchelson; Perth, John
 Moncrief; Dundee, Mr Robert Dundas; Aberdeen, George Fordyce; Stirling,
 Collonell John Erskin; Linlithgow, Walter Hamilton; St Andrews, Collonell
 Philip Anstruther; Glasgow, Charles Miller; Ayr, James Montgomery;
 Haddington, Alexander M'Call; Disart, William St Clair; Kirkcaldie, James
 Barclay; Montrose, Collonell Robert Reid; Dumfriesshire, James Corrie; Inverness,
 Mr Duncan Forbes; Bruntisland, David Ross; Innerkeithing, Henry Cunning-
 ham; Kinghorn, Robert Hamilton; Brechin, John Doig; Jedburgh, Robert
 Richardson; Kirkcudbright, John Kilpatrick; Pittenweem, James Melvill;
 Dumfries, John Walker; Selkirk, Andrew Mitchelhill; Dumbarton, Mr
 George Smollet; Renfrew, Mr John Cochran; Dunbar, William Fall; Lanark,

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 Sederunt.

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Sederunt.

William Inglis ; Aberbrothock, William Wallace ; Elgine, James Innes ; Peebles, John Ramadge ; Craill, John Brydie ; Tain, George master of Ross ; Culross, Mr Patrick Erskin ; Banf, Mr Andrew Hay ; Whithern, John M'Gowan ; Rothsay, George Gordon ; Ruthglen, David Scott ; North Berwick, Mr Hugh Dalrymple ; Cullen, Mr George Ogilvie ; Lauder, Andrew Wood ; Kilrenny, Mr David Bethune ; Sanquhar, George Irving ; Dingwall, Mr William Bayne ; Queensferry, George Hill ; Fortrose, Alexander Gordon ; Inverarie, James Nimmo ; Wick, Collonell Robert Monro ; Campbleton, Robert M'Colm. (Seventeen burghs *blank*).

7 July 1724.

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| Preses. | 1. John Campbell, lord provost of Edinburgh, elected preses. |
| Committee to revise commissions. | 2. Appointed a committee to consider the commissions. |
| Selkirk excused. | 3. Dispensed with the attendance of the commissioner of Selkirk who "could not be present at this convention by reason of some extraordinary occasion that had occurred since his election." |

8 July 1724.

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| Commissions approved. | 4. Approved of the whole commissions notwithstanding some informalities, and providing that till the burgh of Fortrose pay their missive dues the commission of that burgh should not be sustained. |
| Commissions approved. Forres and Stranraer excused. | 5. Approved of commissions received from five burghs. |
| | 6. Excused the burghs of Forres and Stranraer from attendance, the former because they had presented a commission in favor of Mr Duncan Forbes, advocate, who already represented Inverness, and the latter because they had chosen a commissioner "who could not attend by reason of an extraordinary occasion that had occurred since his election." |
| Missive. | 7. Remitted to a committee consideration of the general missive. |
| Fees of clerk of exchequer. | 8. It being represented that there were "several exorbitant fees exacted by the clerks in Exchequer at fitting the æquæ with the severall royal burrows" the convention remitted to a committee to consider as to a remedy. |
| Transporting of wooll. | 9. Remitted to a committee "to bring in ane overture for a proper remedy to prevent the inconveniencies arising upon the transportation of wool from one place to another." |
| Dysert, Campbletoun, Dumfermling. | 10. Remitted to a committee petitions from Dysert and Campbletoun and report anent visitation of Dumfermling. |
| Committee to meet with commissioners of the customs. | 11. The commissioner for Edinburgh acquainted the convention that the honourable the commissioners of his Majestys customs having taken to their consideration the grivances so often complained of by the |

royal burrows anent the custom house officers exacting of fees that were not founded in law had made ane order with respect to their said officers taking of fees at the several ports, a copy whereof he produced at the table, and the samen having been read the convention appoints the burghs of Edinburgh, Perth, Dundee, Aberdeen, Glasgow, Montrose and Innerkeithing, to meet with the saids commissioners and to return them hearty thanks in name of the convention for the care taken by them to redress the said complaint and to ask their permission to print the said order, as also to represent to them that water born coall, especially in the Firth of Forth, lyes under a great inconveniency by being oblidged to have clearances from the several custom houses who are sometimes at a great distance from the place where the said coalls are shipped, as also that they are obliged to pay considerable fees to the officers of the customs for their said clearances and to intreat they may take the same into their consideration and give such order thereanent as they shall think fitt.

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Committee to
meet with
commissioners
of the customs.

9 July 1724.

12. Appointed certain articles to be heads of next missive. Missive.
13. Granted to the burgh of Dundee £40 sterling "to be applied by them for preventing the furdur ruine of their harbour." Dundee, £40 sterling.
14. Granted to the burgh of Aberbrothock £30 sterling for carrying on the new pier and harbour after the work is in some forwardness. Aberbrothock, £30 sterling.
15. Granted to the burgh of Ayr £40 sterling to be applied towards repairing the ruinous condition of their harbour. Ayr, £40 sterling.
16. Appointed a committee to inquire and report as to transgressors of the staple contract and the cause of the conservator not residing at the staple port. The convention also directed the conservator to report to them from time to time the name, of his depute. Staple, conservator.
17. Appointed a committee to visit and report on the condition of the Dysert burgh of Dysert and particularly of their harbour.
18. The committee reported that they having considered the petition from the burgh of Campbletoun were of oppinion the convention should allow the said burgh to pursue upon their own charges and expences the unfree traders within the lordship of Kintyre and islands of Gigha and Carra and the town of Tarbert and clachen of Kilhalmanell and apply what shall be recovered from them for their own relief and

Campbletoun.

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9 July 1724.
Campbletoun

that the agent should be appointed to concurr with them upon their charges; which being considered by the convention they approved thereof.

Recommend-
ing contribu-
tion for
building
harbour of
Aberbrothock.

19. The convention takeing into their serious consideration the usefulness and necessity of a convenient harbour for shipping at Aberbrothock and that the inhabitants had voluntarily contribut to the outmost of their power to carry on the said work and that the burgh had obtained ane act of the general assembly for a general contribution throw the kingdom, the convention recommended to the several royal burrows that they may recommend to their inhabitants the necessity and conveniency of a harbour at Aberbrothock for the safety both of our own shipping and those of other nations, many ships having perisht on that coast for want of such a harbour, that they would extend their charity for the forwarding so usefull a work which so much concerns their own intrest and the intrest of forreign trade in general and to publish this recommendation in the most effectual manner for obtaining the ends abovementioned.

Missive, bur-
gesses.

20. Appointed the 6th article of missive 1723 anent residence of burgesses within burgh to be an article of next missive.

Commissions
approven.
Relief to
severall burghs.

21. Approved of commissions from three burghs.

22. On petitions given in by the following burghs complaining of the decay of their trade and their heavy proportion of the tax roll, the convention allowed relief as follows:—Irving, £8; Kirkaldie, £12; Inverness, £14; Kirkwall, £8; Dumfermling, £4; Wick, £2; Culross, £2; Forfar, £4; all sterling money.

Aberdeen
complaint.

23. Granted liberty to the assessor of Aberdeen to see and answer a petition of the dean of guild and a merchant.

Agent's ac-
counts.

24. Appointed a committee to consider the agent's accounts and to report.

Fine on
absents.

25. Remitted to a committee to consider what fine is proper to be imposed on absent burghs.

Dumfermling.

26. Remitted to a committee "to compose all differences betwixt the contending partys in the burgh of Dumfermling."

Report anent
staple port.

27. The committee appointed to consider the transgressors of the staple port reported that they observed the transgressors of the contract concerning the staple might be discovered either by the oaths of the transgressors or by extracts of entrys anent staple goods made in the custom houses of North Britain for export and by extracts of entry of such

goods for import made in the Dutch custom house of Camphire, that therefor proper application should be made by the convention or their annual committee for recovering the said extracts ; that for fullfilling the contract to the lords of Camphire and for relieving the royal burrows of the charge necessary to support a conservator of their priviledges there, the agent should be appointed to prosecute transgressors before the court of admiralty with all rigour and use all or either of the forsaid proofs and to charge himself with the penaltys that shall be recovered to be applyed as the convention or their annual committee shall direct ; and having considered the conservators commission and instructions given him they observed that he had power to discharge his office by a deputation and were of opinion that the conservator should be directed to give notice to the royal burrows of the person or persons imployed or to be imployed by him as his deputies ; and having acquainted the conservator thereof he chearfully acquiesced thereto and assured the royal burrows that the only reason why he did not constantly reside at Campheer was that by reason of the transgressors of the forsaid contract there was no business or fund for supporting his character, and also observed there had been no damage condescended upon done to any of the burrows from the conservators non residence at Campheer, and were of oppinion the conservator should have his appointment of a duty of one per cent on staple commodities continued to him for two years after the date hereof. Which being considered by the convention they approved of the said report and remitt to the committee to sitt after dissolving of this convention to see the same put in execution, and to wryte to the magistrats of Camphire thereanent.

EDINBURGH.
9 July 1724.
Report anent
staple port.

28. The committee appointed to consider the petition of the poor inhabitants of the town and paroch of Weemys reported that they having considered the same they were of oppinion in regaurd of their circumstances the convention should accept of four hundred pounds Scots money [in full of what is owing by them for arrears preceding 24 June last], and were of oppinion the town of Dubbiesyde was included in the former agreement with the town of Weemys and that they ought to have releif from them both as to bygones and in time comeing. [An undertaking having been given by Robert Hope and John Edmonston, writers in Edinburgh, for said sum, and by the earl of Weemys for future im-

Town and
paroch of
Weemys.

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9 July 1724.

plement of the agreement with the parish, the convention approved of the report and instructed the agents accordingly.]

Kirkaldie, few
contracts.

29. The commissioner of Kirkaldie reported that by warrant of the convention in July last the burgh had feued to Robert Hay, doctor of medicine, James Oswald of Dunniekeir and Alexander Williamson, bailie in Kirkaldie, lands for payment of a greater feu-duty than they formerly paid of rent. The convention ratified the three feu contracts all of which are engrossed in the convention record.

Fees for
officers of
customs.

30. The committee appointed by the 11th act having reported that the commissioners of customs had given liberty to them to print the order anent fees demanded by their officers, the convention directed this to be done and copies sent to the burghs, and they also appointed a committee to make application to parliament for sanction "toward the establishing the table of fees agreed on betwixt the convention and the commissioners of the customs in anno 1718 as the rule in time comeing."

Customs, coal.

31. Approved of memorial to the commissioners of customs anent waterborne coal.

Transporting
corn by water.

32. Remitted to a committee to bring in a memorial to the commissioners of customs anent transporting of corn by water.

Memoriall
anent trans-
porting wool
over the Forth.

33. The committee appointed to consider the inconveniencys attending the transportation of wool from one place to another reported that they were of oppinion the convention should remitt to their annuall committee impowered to sitt after dissolving of this present convention to make propper applications to the honourable the commissioners for manageing his Majestys customs representing that merchants transporting wool over the Forth at Queensferry to north country mercats are oblidged to repair to the customhouse at Borroustouness and to give security for preventing of exportation and have a sufferance thence and to pay extravagant fees were it only for one horse pack consisting of fyfteen troise stones, in value not above fifty shillings, whereby the merchants are discouraged in this smal branch of trade by reason of these extravagant fees and by looseing the opportunity of mercats in repairing to the said customhouse, that while the merchants repair to Borrowstouness their wool lyes exposed at the Hal's, a place adjacent to Queensferry, that this method does not appear to be so effectual a cheek on transportation as if ane officer or officers at Queensferry were authorized to take the foresaid security and grant sufferances, and that

all wool to be transported at that ferry were obliged to be laid down at the burgh of Queensferry and that the transportation at the Hal's were altogether discharged, and therefor praying that the honourable commissioners will be pleased to appoint the foresaid security to be received and sufferances to be granted by ane officer at Queensferry and to discharge transporting wool at the Hal's, and to appoint fees to be taken only in proportion to the parcell of wool transported, or to give such other redress as to the honourable commissioners should seem expedient. Which being considered by the convention they authorized and appointed the committee that shall be impowered to sitt after dissolving of this present convention to make application accordingly.

EDINBURGH.
9 July 1724.
Memoriall
anent trans-
porting wool
over the Forth.

11 July 1724.

34. Having considered the accounts of Mr George Smollet, agent, from July 1723 to July 1724, the convention found he charged himself with £1608, 14s. 6d. Scots as balance of last account, with £6000 of missive dues, and that he discharged himself with £5625, 6s. 2d., so that there is a balance of £1983, 8s. 4d. (less £12 paid for writings but omitted to be charged) to be carried to next account. The following are amongst the items:—By a consultation of lawiers at London, £126; by extraordinary expence at London in negotiating the memoriall anent the unfree trade, £53, 14s.; by a consultation of lawiers upon the said memorial, £284, 8s.

Agent's ac-
compts
approved.

35. Found that the agent in his accounts of "intromissions with the unfree trade" since July last charges himself with £612, 11s. 7d. Scots of last year's balance and £1173, 10s. 4d. received from unfree burghs, viz., Kilmarnock, £54; Borrowstounness, £300; Prestounpans, £489; Dunnikeir, £64; Peterhead, £120; Linktown of Kirkaldie, £146, 10s. 4d.; and that he discharges himself with £1356, 2s. paid for cess, quartering and missive dues, &c., leaving a balance in his hands of £429, 19s. 11d.

Agent's ac-
counts of
unfree trade
approved

36. Remitted to a committee to consider and report on petition from the dean of guild of Aberdeen and William Forbes, merchant there, with answers thereto from William Cruikshank, merchant in Aberdeen.

13 July 1724.

37. The committee appointed to consider the petition for the dean of guild of Aberdeen and William Forbes, merchant there, with answers thereto from William Cruikshanks, merchant there, reported that they

Act, appoint-
ing all webbs
exported from
Aberdeen to
be marked.

EDINBURGH.
13 July 1714.
Act, appoint-
ing all webbs
exported from
Aberdeen to
be marked.

having considered the matter to them referred, it appeared to the committee that it had been the established practise of the exporters of the woolen manufacture from Aberdeen to mark the number of mercat elns on the several webbs they sent abroad under the double fold, that it had been the regular practise at the staple port to pay for the number of elns so marked on the webbs and thirty fyve per cent more; that by the respondent, William Cruikshank, his acknowledgement, it appeared to the committee that he in obedience to his brother Patrick Cruikshank's order for whom he said he bought them on commission, had sent several parcells to Holland not mark't under the double fold but on the end of the peice; that it was the committees oppinion that the establishing the reputation of the Scots marks of the measure is of very great importance to the trade and that if the number is not marked on the webbs under the double fold but at the end it may be easily cutt of and so lyable to a fraud; that therefor the convention should remitt to their annual committee to consider of a general rule to be observed in time comeing, to be laid before the next annual convention for their approbation, and that in order to it the merchants of Aberdeen should be directed to meet together with their dean of gild upon his call and transmitt their oppinion thereanent to the said annual committee, and were further of oppinion that the practise should by no means be left loose till the next convention and that therefor the convention should enjoyn the dean of gild of Aberdeen to see to the observation of the ancient practise till a rule is otherways settled and to prosecut the offenders, and failzieing of him that the convention should appoint their agent to prosecut the said offenders before any judge compitent upon the burrows charge, and are of oppinion that each royal burgh should send annually to the conventions a particular account of the abuses and transgressions made of the laws and regulations establisht in relation to trade with their oppinion in relation to any new law or regulation necessary for promoteing of trade, and that this should always be a head of the annual missive. Which being considered by the convention they approved of the report and appointed the last paragraff thereof to be a head of the next annual missive; and remitt to the [annual committee to dispose of the charge against William Cruikshanks.]

38. Excused the burgh of New Galloway for not sending a commissioner to the convention, he by some accident not having received his commission in time. EDINBURGH.
13 July 1724.
New Galloway.
39. Approved of proceedings and report of annual committee. Annual committee's proceedings approved.
40. Appointed a committee to sit after dissolving of this convention to consider what is remitted to them and everything relating to trade, the staple port, and differences between burghs. Annual committee.
41. Remitted to the annual committee petition from Bailie Ross and the clerk of Burntisland. Burntisland.
42. Appointed John Cruikshanks, late merchant in Aberdeen (who produced "ane testificat shewing his good affection to his Majestys person and government both in church and state") to be master of the conserjary house at Campvere during pleasure, in place of George Cruikshanks deceased. Master of conserjary house.
- 42 (43). The committee appointed to compose the differences betwixt the contending parties in the burgh of Dumfermling reported that, after hearing of parties and considering the former decret arbitral or sett of the burgh anno 1718, they unanimously agreed upon a new sett and pronounced a decret arbitral, which the convention approved of and appointed to be recorded amongst the other setts of the royal burrows to be the rule of their elections in all time coming. Sett of Dumfermling.
- 43 (44). Appointed the agent to pay the several salaries and gratuities.
- 44 (45). Fined twelve absent burghs in £20 Scots each for not sending commissioners to the convention. Absent burghs fyned.
- 45 (46). Dissolved the present convention and appointed next annual convention to be held at Edinburgh in July 1725. Convention dissolved.

MEETINGS OF ANNUAL COMMITTEE *held at* EDINBURGH.

14 July 1724.

Edinburgh, George Drummond ; Aberdeen, George Fordyce ; Stirling, Doctor Johnstoun ; St Andrews, Peter Lindsay ; Ayr, Robert Wallace ; Dysart, William St Clair ; Dumfreise, James Corrie ; Innerkeithing, Henry Cunningham ; Dumbarton, Archibald M'Aulay ; Cullen, Mr George Ogilvie ; Kilrenny, Mr David Bethun ; Sanquhar, George Irving ; Dingwall, Alexander Jollie ; Queensferry, George Hill ; Inverary, James Nimmo. EDINBURGH.
14 July 1724.
Sederunt.

1. George Drummond, commissioner for Edinburgh, elected preses. Preses.
2. The committee having considered the 27th act of last annual convention appointed a committee to draw a letter to the lords of Campvere acquainting them with the resolutions of the convention on the subject, and in order to Staple.

EDINBURGH. <u>14 July 1724.</u> Staple.	enable the committee to discover the transgressors asking that they would order extracts from their custom house specifying the several entries of the staple commodities inwards, the ship, the master and the merchant's name.
Staple goods.	3. Appointed the same subcommittee to apply to the commissioners of the customs for an account of the several entries of staple goods from some ports (the names of which are not given) since 24th December 1718, specifying the goods, the date of the entry, the ship, the master and the merchant's name.
Marking on webbs at Aberdeen.	4. Appointed an extract of the 37th act of last convention to be transmitted to the dean of gild of Aberdeen and to desire him to convene the merchants and transmitt to the committee their oppinion as to the number of elns on the webbs, and in the meantime that they strictly observe the ancient custom of marking.
William Cruikshanks.	5. Remitted to a subcommittee to consider that part of the 27th act of last convention relating to William Cruikshanks and report.
Bruntisland.	6. Remitted to a subcommittee "to look into the last proceedings of the committee on the affair of Bruntisland and report."
Adjournment.	7. Adjourned the meeting till 21st instant.

25 August 1724.

Sederunt.	Edinburgh, George Drummond ; St Andrews, Peter Lindsay ; Innerkeithing, Henry Cunningham ; Dumbarton, Archibald M'Aulay ; Bamff, Mr Andrew Hay ; Sanquhar, George Irving ; Dingwall, Alexander Jollie ; Inverarie, Mr Archibald Campbell.
Preses.	1. George Drummond, elected preses.
Marking webbs at Aberdeen.	2. The subcommittee appointed to consider that part of the thirty seventh act of the last annual convention which relates to William Cruikshanks, merchant in Aberdeen, reported [that previous to any resolution the complainers should be called upon to lay before the committee what proofs they had for vouching the complaint, and that the dean of gild of Aberdeen should enquire and report as to any other transgressions against ancient customs either by Cruikshanks or others]. Also in regaurd by the original letter from Patrick Cruikshanks, merchant in Amsterdam, to his brother the respondent, it appears that the said Patrick Cruikshanks does advise to and justify such a transgression tho it appears to be ane gross abuse in trade, therefor that ane authentick copy of the said original letter should be forwarded to the magistrats of Campvere in order to prosecut the said Patrick Cruik-

shanks in such a manner as to them shall seem expedient ; which report [was approved of and directions given accordingly].

EDINBURGH.
25 August
1724.

3. There was a petition given in to the committee for Andrew Steill, merchant in Kirriemuir, complaining that the agent had caused quarter on him for his whole arrears resting by him for the communication of trade, amounting to seven hundred and seventy seven pounds, notwithstanding that the three other persons merchants in the said burgh who had also at the same time accepted of the said communication and were equally liable in payment were either dead or had removed from the place ; which being considered by the committee they appoint their agent to lay before them the facts relative to the matter complained of in the said petition and in the meantime to desist from quartering upon the petitioner untill the first of November next.

Andrew Neill,
merchant in
Kirriemuir.

4. The preses laid before the committee ane letter to him from Captain Peter Halket, one of the councill of the burgh of Dumfermling, praying in their name that the annual committee would be pleased to explain the sixth article of the sett and decreet arbitral of the said burgh anent the persons who are capable of voteing in the makeing of leets for deacons or voteing in the elections of deacons ; which being read in presence of the committee, and they having considered the sett and decreet arbitral of the said burgh, it is their unanimous opinion that none are qualified or can be allowed to vote in making of the leets for deacons or to vote in electing the deacons of the said burgh except such persons as are burgesses freemen of the said burgh resideing in the place and labourers in their crafts and bearing scott and lott in the burgh ; and appoint the same to be strickly observed in the ensueing elections for deacons in the said burgh.

Anent person
qualified in
voting for
deacons at
Dumfermling

17 September 1724.

Edinburgh, George Drummond ; Innerkeithing, Henry Cunningham ; Sederunt. Dumbarton, Archibald M'Aulay ; Sanquhar, George Irving ; Inverarie, James Nimmo ; Campbeltown, John Hogg.

1. George Drummond, dean of guild of Edinburgh, elected preses.
2. In compliance with a request from the town council of Dunfermline the committee appointed the assessors for Dumbarton and Campbelton and the

Preses.
Dumfermling
election.

EDINBURGH.
17 September
1724.
Dumfermling
election.

commissioner of Sanquhar to meet at Dunfermline on 23d instant "to determine all differences that may happen in the elections agreeable to the meaning and extent of the decreet arbitral, that the peace of the said burgh may be establisht in time coming."

6 November 1724.

Sederunt.

Edinburgh, George Drummond and James Mitchelson ; St Andrews, Peter Lindsay ; Dysert, William St Clair ; Dumfreise, James Corrie ; Dunbarton, Mr George Smollet ; Whithorn, John M'Gowan ; Sanquhar, George Irving ; Dingwall, Alexander Jolly.

Preses.

1. George Drummond, elected preses.

Persons selected
magistrates of
Burntisland
to attend
committee.

2. There was a petition presented by Robert Bell and several others, the burgesses of Burntisland for themselves and in name of the community of the said burgh, representing that at present there is no magistrats and town councill in the said burgh and that the persons chosen at the last pretended election have not accepted and that the town's revenue is thereby in danger to be lost, and that Andrew Robertson, late thesaurer, has uplifted for some years past both the town's common good and two terms of the cess without holding compt therefor, and that the town is considerably in debt and their annual rents not payed, and therefor craving that the committee would be pleased in order to preserve the said burgh from utter rowine to appoint three or four of the most substantial resideing burgesses of the said burgh as managers to sett the town's common good and revenue and uplift the samen untill there be a settled magistracy, the said managers being always accomptable to the convention of burrows or their committee and to the community of the said burgh for their intromissions and management, and also to appoint the said Andrew Robertson to accompt for what he has already intromitted with ; which being read and considered by the committee they appoint the persons nominat at the said last pretended election who have not signed the said petition [to see and answer the petition betwixt and Monday next].

9 November 1724.

Sederunt.

Edinburgh, George Drummond and James Mitchelson ; St Andrews, Peter Lindsay ; Dunbarton, Archibald M'Aulay ; Sanquhar, George Irving ; Dysert, William Sinclair ; Whithorn, John M'Gowan ; Dingwall, Alexander Jolly.

1. George Drummond, elected preses.

EDINBURGH.
9 November
1724.

2. The several persons in the burgh of Burntisland who were appointed to see and answer the petition mentioned in the minut of the sixth instant being summoned and compearing did acknowledge that there were no present magistrats accepting or acting as such in the said burgh and that they were willing to concur with the petitioners in naming certain persons to be entrusted with the rousing of the town's common good and managing the revenue thereof and that the committee should authorize the persons so nominat, and accordingly both partys named Baillie Archibald Angus [and five others ;] which being considered by the committee they approve of the said nomination and authorize the said sex persons to sett the town's common good for the year ensueing and to appoint stent masters for laying on the cess within the burgh and to see that the same be applyed for the proper uses and to call the former collectors of the cess to account and intromitters with the other branches of the town's revenue and all lyable for arrears thereof, and further to see that the produce of the two pennies of the pint be uplifted and applied as the act of parliament directs; and the committee invest the forenamed persons with the forsaid powers ay and while a legall magistracy be settled in the said burgh.

Preses.
Persons appointed to manage the affairs of Burntisland.

17 December 1724.

Edinburgh, Archibald M'Aulay, dean of gild, and James Mitchelson; St Andrews, Peter Lindsay; Ayr, Robert Wallace; Innerkeithing, John Cant; Kinghorn, Robert Hamilton; Dumfermling, Capt. Halket; Dunbarton, Mr George Smollet; Ranfrew, Mr John Cochran; Dunbar, William Fall; Banf, Mr Andrew Hay; Whithorn, John M'Gowan; Rothesay, George Gordon; North Berwick, Mr Hugh Dalrymple; Cullen, Mr George Ogilvie; Sanquhar, George Irving; Dingwall, Alexander Jolly.

1. Archibald M'Aulay elected preses.

Preses.

2. The preses having acquainted the committee of a motion made in the house of commons for ane additional duty of sexpence per barrel to be laid upon Scots ale and for depriveing Scotland of the bounty money for exporting of corns as ane equivalent for their being exempted from the malt tax, they after some reasoning on the said affair came to

Representation
anent the malt
tax.

EDINBURGH.
17 December
1724.

Representation
anent the malt
tax.

this resolution to address the parliament upon this important affair, and for that end appointed [a committee to prepare the draughts of (1) a representation to the house of commons (2) a letter to the representatives of burghs in parliament and (3) a letter to the several districts of burghs in Scotland].

18 December 1724.

Sederunt.
Preses.

Same as at preceding meeting excepting that Rothesay is not represented.
1. Archibald M'Aulay elected preses.

Representation
to the parlia-
ment and
letters anent
the malt tax.

2. The subcommittee presented the draught of [the following representation and letters which were approved of and ordered to be transmitted]:—

Representation
to the house
of commons.

To the honourable the commons of Great Brittain in parliament assembled, the representation of the royal burrows of Scotland.

That by your resolutions entered into the 10th instant Scotland is to be exeemed from the malt tax to be imposed for the year ensueing, that Scotland in lieu thereof is to be subjected to payment of one sixpence upon each barrell of ale, &c, additional to the present excyse which England is not to pay, and that the bounty money upon exportation of corn which now takes place over the whole United Kingdom and which is to continue in England is to cease in Scotland for one entire year after the twenty third June next.

That by the sixth article of the Union all parts of the United Kingdom for ever are to have the same allowances, encouragements and drawbacks on export and import, from which it appears the corns of the produce of Scotland are equally intituled to premiums on exportation with those of England, and to discontinue such premiums on exportation of Scots corn and to continue them on exportation of English corn wee conceive would be a direct violation of the aforsaid article and thereby English traders in grain will have such advantages over those in Scotland that deall in that commodity that that branch of trade to us must sink into nothing and be enjoyed by the English solely. Likeways thereby our land intrest, the produce whereof is mostly grain, will sink in the value which must much affect the other branches of our trade.

That we have not nationally any thing to object upon the articles of the Union. Why wee should not be subjected to payment of the malt tax, wee cannot conceive how the aforesaid exemption in favours of Scotland can be consistent with the articles of the Union. However the not insisting upon a rigorous exaction of that tax may be a prudent act of administration in the governours of the revenue and tending to the utility of the whole.

EDINBURGH.
18 December
1724.
Representation
to the house
of commons.

That the disproportion in point of loss to the merchants of Scotland betwixt the malt tax and putting the trade of the United Kingdom on such an inequality by discontinuing the forsaid bountys to Scotland and continuing them to England is such as must inevitably tend to the utter ruine of the whole branches of trade in Scotland which must be more pernicious to us than payment of the forsaid tax itself because the extending of our trade depends on the value of our consumpt and wee have nothing valuable to export but a few fishes and corns.

That our fishing trade must still be unsuccessfull because wee have not encouragements sufficient to prosecute that branch effectually, and should the other be discouraged by discontinuing the bounty wee cannot carry on any branch of trade whatever, whereby our navigation will be destroyed, the revenue of customs in Scotland must cease, wee utterly disabled from payment of any part of other taxes, and thousands of us will be reduced to extream poverty and forced to seek bread elsewhere.

That we humbly apprehend the inducing any inequality in trade, how inconsiderable soever it may seem, is beyond the power of the parliament of the United Kingdom, because it would be a manifest violation of the agreement whereon the union was founded and without which it cannot subsist.

That wee cannot look upon any incroachment on what pretence soever of expediency with a jealous eye since by the same rule that wee at present have a pretended equivalent imposed for a burden that a majority thinks fitt to exeem us from, wee may in process of time have such equivalents as a majority shall think proper given us for all our rights reserved by the union and for all those priviledges which by treaty were granted to us, soe that notwithstanding the articles stipulated Scotland shall remain subject to resolutions how arbitrary soever of a parlia-

EDINBURGH.
18 December
1724.

Representation
to the house
of commons.

ment whereof the representatives compose somewhat less than a thirteenth part.

Wee are therefor firmly perswaded that the honourable house will never establish such inequality in trade soe destructive to this part of the United Kingdom nor ever will on pretence of expediency doe anything soe directly tending to a violation of the faith of the agreement whereon the two kingdoms were and remain united. Edinburgh, 18th December 1724.

Letter to lord
provost of
Edinburgh.

Follows the letter to the lord provost of Edinburgh, at London :—
Edinburgh, 18th December 1724. My lord,—The royal burrows of Scotland conceive it to be their indispensable duty to remonstrat against the imposing of ane equivalent on this country for ane exemption from the malt tax for the reasons sett furth in this representation. Wee doe expect that your lordship will take the first opportunity of laying the same before the honourable house of commons, in such manner as to yow shall seem most expedient and that yow with our other representatives will act in concert vigourously in defence of our just rights and priviledges as yow regard our state and the valueable intrest of your country. We have wrote on this subject to our other representatives who are with yow referring them to a representation in your custody and wee doubt not but that their respective districts will enforce the same by giveing them such directions as your lordship is herewith to receive from this city. We remain, my* lord, your lordship's dutifull and faithfull servants. *Sic subscribitur*: ARCHIBALD M'AULAY, Preses. Signed in presence and by appointment of the annuall committee of burrows of Scotland.

Letter to
representatives
in parliament.

Letter to the
royal burrows.

[Follows letter to each representative of the burghs in parliament in terms similar to the foregoing.]

Edinburgh, 18th December 1724. Right Honourable,—The resolutions entered into by the honourable house of commons for imposing on this country ane equivalent for ane exemption from the malt tax alarms us verry much, wherefor wee your annual committee conceive it to be the indispensable duty of the whole burrows of Scotland to remonstrat against the same as tending to the distruction of our state.

Wee apprehend it absolutely necessary that each burrow will furthwith wryte to their representative in parliament recommending this matter

to their care in the most effectual and serious manner and wee herewith send you ane draught of a letter which we humbly judge to be verry prpper for that purpose, and if it shall appear soe to yow please cause the magistrats and whole councill sign the same and forward it without delay to your representative. Wee remain your loving friends and neighbours.

EDINBURGH.
18 December
1724.
Letter to the
royal burrows.

Edinburgh, 18 December 1724. Sir,—By the votes of the house of commons the 10th instant wee find the house has agreed to two resolutions [&c., in terms similar to the representation to the house of commons, *ante*, pp. 360-2. And then the letter proceeds thus :—]

Letter to be
sent by the
burrows to
their repre-
sentatives.

For these reasons, Sir, wee are of oppinion that these resolutions cannot pass into a law without direct violation of the fundamental articles of the treaty of union and therefor we hereby unanimously in behalf of this burgh require yow our representative in parliament to oppose by all proper means the passing the said resolutions into a law and all other resolutions whereby any equivalent may be preposed for a tax which by the articles of union Scotland ought to bear as well as England.

And if your opposition in debateing and voteing prove fruitless against a majority, wee hereby in behalf of this burgh authorize impower and require yow to dissent from and protest against what shall be soe resolved by the said majority as being a plain breach of the articles of union, which protestation wee apprehend yow as commissioner from Scotland may lawfully make upon any breach of that treaty which alone gives yow a title to sitt in the commons house of the parliament of Britain, and wee doubt not shall these resolutions be past into a law but that yow and all the other representatives of the shyres and burrows in Scotland will unanimously leave the house, since thereby your right of sitting as members will be effectually voided. Wee are, with the greatest esteem, your faithfull and obedient servants.

Which representation to the parliament and letters of the provost of Edinburgh and other representatives of the burrows in parliament were dispatched by ane express and the other letters to the burrows were dispatched on the 19th instant.

Despatch of
documents.

28 December 1724.

EDINBURGH.
28 December
1724.
Sederunt.

Edinburgh, St Andrews, Ayr, Dumbarton, Banff, Whithorn, North Berwick, Cullen and Sanquhar, [same representatives as at meeting on 17 December last]; Kilrenny, Mr David Bethune; Dingwall, Mr William Bayne; Inverary, James Nimmo.

Preses.

1. Archibald M'Aulay elected preses.

Preses to write
to provost of
Edinburgh and
Campbell of
Shawfield.

2. The preses produced ane letter from the lord provost of Edinburgh acknowledging the receipt of the representation and letters sent to him and informing that he had delivered the letters to such of the members as were in town, and furdher that he had appeared against the motion in the house of commons with utmost vigour and would continue firm for his country's intrest wherever it was concerned; as also produced ane other letter from Daniel Campbell of Shawfeild to the same purpose and vindicating himself from certain aspersions cast upon him with respect to his behaviour in relation to the equivalent proposed for exeeming Scotland from the malt tax; which being read and considered by the committee they appointed their preses to wryte ane answer to the lord provost and Shawfeild assuring them that they had the utmost confidence in them both and gave no credit to any storeys lessening their reputation and hoped that they would continue steadfast to appear for their country's intrest in the said matter and all other concerns of their country whatsomever; and the committee recommend to their preses to give their hearty thanks to them both for what appearance they had already made in the said matter.

Custom house
officers.

3. Resolved to consider on Thursday next a memorial or representation in name of the several collectors and other officers of the customs with relation to their fees.

31 December 1724.

Sederunt.

Edinburgh, Archibald M'Aulay, dean of gild; St Andrews, Ayr, Banff, Cullen, Kilrenny, Sanquhar and Inverary, [same representatives as at last meeting].

Preses.

1. Archibald M'Aulay elected preses.

Custom house
officers, table
of fees.

2. The committee having resumed the consideration of the application formerly made to them anent the adjusting a table of fees, and having

enquired of several considerable merchants who were present how far they thought it proper that a stated table of fees should be concerted they were unanimously of opinion that it would tend much to the despatch of business and benefit of the merchants that a moderat table of fees could be settled as a stated rule of the custom house officers' exactions in time coming, and the committee recommended to the members for St Andrews and Inverary to meet with [certain merchants, the solicitor and collectors of customs,] and endeavour to concert a table of fees to be laid before the committee.

EDINBURGH
31 December
1724.
Custom house
officers, table
of rates.

3. The preses acquainted the committee that he understood the honourable house of commons were not in use to receive or give a reading to any memorialls or representations whatsoever, and on that account the former representation sent up anent the equivalent to be imposed on Scotland in place of the malt tax could not be presented; which being considered by the committee they appointed the said representation to be putt into the form of a petition to the honourable house of commons and to be signed by the preses in name of the burrows and by him to be sent up to the lord provost of Edinburgh which was done accordingly.

Representation
anent the malt
tax.

GENERAL CONVENTION *held at* EDINBURGH.

Edinburgh, Archibald M'Aulay and John Keir; Pearth, William Ferguson; Dundee, George Ramsay; Stirling, Collonell John Erskin; Linlithgow, James Glen; St Andrews, Mr William Douglas; Glasgow, Charles Millar; Ayr, Thomas Garvine; Hadingtoun, Alexander M'Call; Kirkaldie, James Jeffrey; Montrose, Collonell Robert Reid; Dumfreise, Thomas Edgar; Inverness, Mr Duncan Forbes; Burntisland, Archibald Angus; Innerkeithing, Henry Cunningham; Kinghorn, Patrick Beatson; Brechin, John Doig; Jedburgh, Robert Richardson; Pittenweem, James Melvill; Dumfermling, Mr John Walker; Selkirk, Thomas Elliot; Dumbarton, Mr George Smollet; Ranfrew, Mr John Cochran; Dumbar, William Fall; Lanerk, John Bannatyne; Aberbrothock, William Wallace; Elgine, Charles Gordon; Peebles, John Ramadge; Crail, Thomas Younge; Culross, Mr Charles Cochran; Banf, Mr Andrew Hay; Whithorn, John M'Gowan; Rothesay, George Drummond; Forress, James Brodie; Ruglen, David Scott; North Berwick, James Millar; Cullen, Mr George Ogilvie; Lauder, Alexander Thomson; Kilrenny, Mr David Bethune;

EDINBURGH.
6 July 1725.
Sederunt.

EDINBURGH.
6 July 1725.
Sederunt.

Annan, George Blair; Sanquhar, George Irving; Dingwall, Collonell Robert Monro; Queensferry, James Hunter; Fortrose, Alexander Gordon; Inverary, James Nimmo; Wick, John Sinclair; Campbletoun, John Hogg; (nineteen burghs *blank*).

. 6 July 1725.

Preses.
Committee
to revise
commissions.
Commissions
approved.

1. John Campbell, lord provost of Edinburgh, elected preses.

2. Committee appointed to consider the commissions.

3. Commissions of six burghs received and approved.

4. On report of committee, approved of certain commissions.

5. Approved of one of two commissions presented by the burgh of Dingwall.

6. Remitted commission of Burntisland to the committee.

7. Remitted the annual missive to the consideration of a committee.

Missive.
St Andrews,
Inverurie.

8, 9. Remitted to the same committee petition of (1) St Andrews craving a supply for repair of their harbour, causeways, &c., and (2) Inverurie representing their low state and complaining of some hardships put upon them by the commissioners of supply.

7 July 1725.

Burntisland.

10. On report by the committee that they had been informed by the neighbouring burghs that Bruntisland had "a standing magistracy who have accepted and doe actually exerce their offices and have granted this present commission" the convention approved of the commission.

St Andrews.

11. Appointed a committee to visit St Andrews and report to next annual convention the state of their common good and the condition of their pier and harbour.

Annual mis-
sive.

12. On report by the committee appointed to consider the missive the convention continued certain articles to be heads of next annual missive.

Commissions
approved.

13. Commissions to the assessors for Edinburgh and North Berwick and to the commissioners from Peebles, Brechin, and Week received and approved of.

Culross, Kirk-
aldie, Dum-
fermling.

14. Remitted petitions from Culross, Kirkaldie and Dumfermling to the committee on the missive.

Magistrates of
burghs to
concur in im-
posing land
tax and sup-
pressing
mobbs, &c.

15. The convention of the royal burrows having been informed that certain evil minded persons have taken upon them to pass to diverse royal burrows of this realm in order to incite them to refuse to give obedience to the law that enacts the payment of the malt tax and to enduce the malsters to come into this peice of disobedience, have falsely and villanously propagated reports that the whole royal burrows of Scotland

had come to a resolution to stand out against payment of the said tax, a consequence whereof it has been that the malsters in divers places have refused to give obedience to the law and that their disobedience has been supported in some places with tumults and ryots, whereby the burrows in which such ryots may have happened are subjected to sundry penaltys and inconveniencys and the unwary people who have been drawn into such ryots and tumults are lyable to the highest penaltys and forfeitures, and takeing it to be their duty to admonish the several royal burrows under their care of the dangerous consequences of such seditious practises and to exhort them to that obedience which duty and loyalty to his Majesty, respect to the laws of the land and a true regaurd for the intrist of their several incorporations, call for at their hands, have therefor resolved that a circular letter from this convention to each of the royal burrows within Scotland be furthwith dispatched by express testifying the falsehood of the scandalous report abovementioned concerning the resolution of the royal burrows, signifying their abhorrence of the thought of resisting or not paying due obedience to the law which has enacted the levying of the malt tax, exhorting the magistrats and governours of each royal burrow to concur vigorously with the officers of the revenue in the execution of the laws relating to the levying of the said malt tax and in the suppressing of all mobs, ryots and tumultuous assemblys whatsoever, within burgh, admonishing them of the dangerous consequences of such riots and tumults to the several incorporations where they may happen and requireing the magistrats everywhere to use all dilligence for the discovery of the authors of such malicious reports and seditious practises as are first above mentioned, and to acquaint the annual committee of the convention therewith that the offenders may be prosecuted and brought to deserved punishment at the suit of the convention as disturbers of the peace of the burrows; and to the end each particular burrow may with the greater certainty be informed of their duty with respect to mobbs and tumults the convention has further ordered that the act *anno primo Regis*, entitled Ane act for preventing ryots and tumultuous assemblys, &c., be reprinted by his Majesty's printers at the expense of the convention and that coppys thereof be transmitted to each royal burrow alongst with this resolution.

EDINBURGH.

7 July 1725.

Magistrates of burghs to concur in imposing land tax and suppressing mobbs, &c.

EDINBURGH.
7 July 1725.
Letter to the
burrows.

16. The convention remitts to the burghs of Edinburgh, Linlithgow, and Annan to draw up a letter to be sent to the burrows relative to and in the terms of the above resolve.

8 July 1725.

Culross.

17. Appointed a committee to visit Culross and report to next annual convention the state of the burgh, harbour and coal.

Relief of sun-
dry burghs in
tax roll.

18. Allowed to the following burghs towards relief of their proportions of the tax roll,—Irving £8, Kirkaldie £12, Inverness £14, Kirkwall £8, Dumfermling £4, Week £2, Culross £2, Forfar £4, all sterling money.

Commissions
approven.

19. Approved of commissions from Innerkeithing, Pittenweem and Fortrose.

Agent's
accounts, de-
puty receiver.
Malt tax.

20. Remitted to a committee to consider the agent's accounts and petition from the deputy receiver.

21. Remitted to a committee "to consider upon some proper expedients for having the malt tax made as easy as possible and what may be necessary for procuring relief thereof."

Aberbrothock.

22. Remitted two petitions from Aberbrothock to the committee on the missive.

Committee
anent the
copper coyne.

23. Remitted to the committee on the missive a proposal touching the great need of having a certain quantity of copper coin for the benefit of commerce.

Letter anent
the malt tax.

24. [Approved of the following letter which was ordered to be transmitted to the several royal burghs:—] Gentlemen,—The convention of royal burrows have commanded me to transmitt to you by express their act of the date the 7th instant together with the act of the first of the King, entitled Ane act to prevent ryots and tumults, &c. I enclose the same, not doubting of your giveing due obedience thereto as what is verry much both the duety and intrest of your burgh.—I am [etc.] Edinburgh, 8th July 1725.

Cullen, dissent.

25. The commissioner for Cullen dissented against the resolution passed at last meeting at which he was not present.

9 July 1725.

Agent's ac-
counts
approven.

26. Having considered agent's accounts from July 1724 to July 1725 the convention found that he charged himself with £1983, 8s. 4d. Scots, as balance of last account, and with £6000 Scots of missive dues, and that he discharged himself with £5790, 19s. 10d., leaving in his hands a balance of £2192, 8s. 6d.

27. Remitted to the annual committee to audit the agent's accounts for unfree trade. EDINBURGH.
9 July 1725.

28. Remitted to the annual committee to "draw up and dispatch a circular letter to the haill royall burrows recommending to them to put the law effectually in execution against the sellers of salt otherways than by weight." Agent's
accounts for
unfree trade.
Sellers of salt.

29. Allowed to Aberbrothock £20 sterling "to enable them to carry on the building of their peir and harbour." Aberbrothock.

30. Upon report from the committee appointed to consider a petition from the burgh of Aberbrothock craveing the convention to ratify ane act of their town counsell for establishing ane dean of gild and gildrie, to which they are entituled by their charter of erection, to which all the inhabitants of the town are consenting, the convention remitt the same to the annuall committee to grant the desire of the petition upon the committees being satisfyed of the unanimity of the said burgh for erecting the said dean of gild and gildrie; and in order to facilitat the matter the convention appoint the burghs of Dundee, Montrose and Brechin, or any two of them, to repair to the said burgh with all conveniency and there to inquire into the truth of the said fact and immediatly thereafter to inform the preses of the annual committee that the affair may be proceeded in and determined accordingly. Aberbrothock,
erection of a
gildrie.

31. Appointed a committee to visit Burntisland and report to next annual convention the condition of the burgh, common good, and harbour. Burntisland.

32. Remitted to the annual committee petition of Dumfermling "relateing to the improvising the linnen cloath manufacture and preventing abuses in the working and bleaching thereof." Dumfermling.

33. The convention upon report of the committee appointed to consider a letter from the burgh of Inverurie complaining of several acts of oppression from the commissioners of supply of the county of Aberdeen and that they were engaged in a law suit with the said commissioners, the expences whereof they were not able to pay, and therefor craveing assistance from the convention, they appoint the burrow agent to concur with the said burgh in discussing a suspension raised by the said commissioners and John Leslie of Angus-Hoisk against them and allow the agent to expend fyve pounds sterling in the said affair and empower the annual committee to enlarge the said sum as they upon report of the agent shall find necessary. Inverurie.

EDINBURGH.
9 July 1725.

Annual committee to
apply for a
copper coyn-
age.

34. The convention upon report of the committee appointed to consider the proposall laid before them touching the coyning of a certain quantity of coppar remitt to the annuall committee to enquire what quantity of coppar has been coyned in Scotland at one time and how much is necessary to circulat in this country and what species thereof is most usefull and convenient for our commerce, and with all convenient speed to make application to the King and ministry for having such a quantity of copper and such species thereof coyned in Scotland as they shall find usefull and necessary for the circumstances of this country, and to entreat the representatives of the burrows in parliament to assist in obtaining the end forsaide.

Anent case of
the malt tax.

35. The convention considering that it is their duty not only to give obedience to the laws but, likewise, to use their best endeavours to perswade the inhabitants of the burghs whom they represent to pay the same regaurd to them, have for this end by their act of the seventh instant ordered circular letters to be sent to the magistrats of the several burrows recommending to them their duty in this respect, and also considering that great complaints have been made to the convention of the inability of the most part of this country to pay the tax imposed upon malt by ane act of the last session of parliament, they conceive it to be their duty at the same time to take all legall and regular steps towards procuring releif in the manner of levying or otherways that may appear burdensom to his Majesty's subjects whereby they may be disquieted in their minds, doe therefor recommend it to their annuall committee after informing themselves in the best manner they are able of the circumstances of the several parts of the country and how far they are unable to pay the full duty imposed by the act of parliament, to draw up a proper petition to the parliament expressing their zeal for preserveing the intrest of his Majesty and the government and their willingness to submitt to the laws of the land as far as in their power, and humbly and in the most dutyfull manner to sett furth the circumstances of this part of the United Kingdom with regaurd to their inability to pay the duty aforesaid, and to lay before his Majesty and the parliament some proposall for levying a duty upon malt easier to the subject and which may be effectuell to the revenue in case to hereafter any malt tax should be

imposed, whereby the apprehensions raised that a malt tax may prove a discouragement to trade or agriculture and such as the low circumstances of this part of the Island and the meanness of the grain are not able to bear may be removed, and the convention recommend to the burgh of Edinburgh by circular letters to call the annual committee together upon the second Tuesday of December next in order to prepare a petition in the terms above mentioned and to give the necessary directions for presenting and following furth the same at the expence of the royal burrows, and appoint their agent to advance what sums the annual committee shall judge necessary for promoteing this service.

EDINBURGH.
9 July 1725.
Anent case of
the malt tax.

36. Remitted to the annual committee to inquire whether or not fees now paid in exchequer exceed those paid before the Union.

Fees paid in
exchequer.

37. Remitted to the annual committee to consider whether the last election in Dunfermline was exactly agreeable to their sett.

38. There was a petition from the burgh of Dysert shewing that there was no legall magistracy in the said burgh at the time nor any to uplift and manage the revenue and common good of the burgh, therefor craveing that the convention in order to prevent the perishing of the said common good would name and authorise certain persons for the end for-said ay and while a legall magistracy be settled there, which being considered by the convention they did nominat and appoint James Abercrombie, David Renny, and Thomas Spence, late baillies of the said burgh, to uplift and receive the revenue and common good thereof ay and while the establishment of a legall magistracy, and that upon Collonell James Sinclair's being bound as cautioner that they shall make just compt and payment to the succeeding magistrats of what they shall uplift of the town's common good by virtue of this present commission, and the convention impowers the forsaid manadgers to lay on and uplift the cess of the said burgh and give in the same to the receiver in the usuall manner, likeas the said Collonell James Sinclair being present became bound and obliged as cautioner for the said manadgers to the effect above written.

Appointing
managers for
Dysert.

39. Appointed a committee to visit Dysert and report how far their common good is able to defray the expense of repairing their ruinous harbour.

Dysert, har-
bour.

40. On a petition in name of the wine merchants of Edinburgh showing that for some years bypast more duty has been exacted on wine imported into

Duties on
wines.

- EDINBURGH.
9 July 1725.
Duties on
wines.
- Scotland than the law allows, and that no table of fees for the officers of customs is yet settled, the convention authorised the agent to concur with the petitioners in obtaining repayment and recommended the annual committee to make up a table of fees "to the end that this affair which is so nationall a concern may be speedily finished to the satisfaction of all concerned."
- Assessor.
41. The office of assessor to the burghs being vacant through the demission of Mr Robert Dundass of Arnistoun, advocate, the convention elected Mr Duncan Forbes, his Majesty's advocate, to be assessor.
- Craill harbour.
42. On a petition from the burgh of Craill the convention appointed a committee to visit it and report the state of the burgh and their common good and whether they are able to repair the ruins of their harbour.
- Craill, common good.
43. On a petition from the inhabitants of Craill complaining that the magistrates were disposing of the common muir and revenues to the hurt of the community, the convention appointed the same committee to inquire into the facts, and in the meantime discharged the magistrates from any farther disposing of the common good till report be made to the convention.
- Fortrose, pier and harbour.
44. The convention having considered a petition for the burgh of Fortrose and that the same is conveniently situat for trade and has a great herring fishing but wants a pier and harbour, which would be a great advantage to the fishing trade, therefor the convention recommend to the haill royal burrows and tradeing persons of the kingdom to be aiding and assisting to the burgh of Fortrose by a voluntar contribution in order to enable them to build a peir and harbour in the said burgh, and appoints the burghs of Tain, Dingwall and Dornock, to visit the said burgh and report if a convenient harbour can be made there.
- Frazerburgh.
45. Remitted to the annual committee consideration of a petition from the burgesses and inhabitants of Frazerburgh.
- Forres.
46. On a petition from Forres the convention appointed a committee to visit the burgh and their marches and to report.
- Bruntisland.
47. Appointed the clerks to lend to Baillie Angus of Bruntisland the accounts and instructions of the clerk of that burgh.
- Annual committee.
Sallarys and gratuitys.
Convention dissolved.
48. Annual committee appointed.
49. Authorised the agent to pay certain salaries and gratuities.
50. Dissolved the present annual convention and appointed the next to be held at Edinburgh in July 1726.

MEETINGS OF ANNUAL COMMITTEE *held at* EDINBURGH.

10 July 1725.

Edinburgh, Archibald M'Aulay and John Keir; Ayr, Thomas Garvan; EDINBURGH.
10 July 1725.
Dumfreise, Thomas Edgar; Innerkeithing, John Cant; Selkirk, Thomas Elliot; Sederunt.
Dumfermling, Mr John Walker; Lanerk, John Bannantyne; Peebles, John
Ramadge.

1. Archibald M'Aulay elected preses.

Preses.

2. The committee appointed to oversee the elections at Dumfermling reported that they had met at the burgh on 23d September last and given their answer to certain queries touching the sense and meaning of the late act of sett authorised by the convention. The annual committee approved of the proceedings of the committee and appointed the same to be recorded in the Register of Setts.

Report, Dumfermling.

3. The commissioner for Dumfermling presented four extracts shewing the way and manner in which the council had proceeded in last elections and the committee found the same to be agreeable to the new sett and decreet arbitral and acts relative thereto.

Extracts of election at Dumfermling approved.

6 September 1725.

Edinburgh, Archibald M'Aulay and John Keir; St Andrews, Patrick Sederunt. Lindsay; Montrose, John Coutts; Rothesay, George Drummond; Inverarie, James Nimmo.

1. Archibald M'Aulay elected preses.

Preses.

2. The annual committee takeing to their consideration a petition presented to the last general convention from Patrick Wallace, merchant in Aberbrothock, for himself and as having commission from the other merchants in the said burgh, shewing that by charter of confirmation granted to the said burgh by King James the sixth they were incorporated and erected into a free burgh royall with power to the free burgeses and inhabitants thereof to choise provost, baillies, dean of gild, gild brethern, councillors, and other officers necessary for governing the said burgh; and that notwithstanding the said charter expressly names a dean of gild and gild brethern yet the government of the said burgh has ever since been only by a provost, baillies, thesaurer and councill, to the great loss of the tradeing people within the same who are destitut of these rules and regulations in trade which properly belongs to the office of a dean of gild and gildrie, and also setting furth that upon the

Act erecting gildrie at Aberbrothock.

EDINBURGH.
6 September
1725.

Act erecting
gildrie at
Aberbrothock.

merchants advanceing a certain sum of money for building a peir and harbour in the said burgh, which lyes verry commodious for trade, the magistrats and town councill had made ane act of councill, dated the thirty first of Aprile last, for establishing a dean of gild and gildrymen within the same, after the modell and with the lyke powers and priviledges that the burghs of Pearth, Dundee, St Andrews or Brechin, doe enjoy the same, and therefor craveing the convention would ratify the said act of the town councill and ordain a dean of gild to be chosen against the usual time of election who is to be a councillor *ex officio*, and als to choise gildrymen in the manner sett furth in the said act of councill and as any of the forenamed burghs doe enjoy the same; and the annual committee having also considered the thirtyeth act of the last annual convention, whereby the aforesaid petition was remitted to them and they impowered to grant the desire thereof upon their being satisfyed of the unanimity of the inhabitants for establishing the said dean of gild and gildry in the said burgh; and the annual committee being now satisfyed by the report of George Ramsay and John Doig, commissioners for the burghs of Dundee and Brechin, to whom the inquiry into the said matter was remitted by the convention, that the haill inhabitants have unanimously agreed to the erection and establishing a dean of gild and gildrie in the terms of the said act of councill, therefor the annual committee of the royal burrows doe hereby ratify and approve of the above-mentioned act of the town councill of Aberbrothock for erecting and establishing a dean of gild and gildrie in the said burgh in the terms and according to the modell of the burgh of Brechin, with power to them to elect the said dean of gild at their next election of magistrats in the said burgh who is to be chosen either from among the members of the town councill or one out of the same as the gildriemen shall think fitt, and who is to be ane councillor *ex officio* and als to choise a gild councill in the same manner and with the same powers and priviledges as the gildry enjoys in the said burgh of Brechin.

19 November 1725.

Sederunt.

Edinburgh, Archibald M'Aulay; Linlithgow, James Glen; St Andrews, Patrick Lindsay; Dunbartoun, Mr George Smollet; Ranfrew, Mr John Cochran;

Banf, Mr Andrew Hay ; North Berwick, Mr Hugh Dalrymple ; Inverary, James Nimmo. EDINBURGH.
19 November
1725.

1. Archibald M'Aulay elected preses.

2. Referring to the 40th act of last convention, the committee appointed the agent to expend any sum not exceeding £25 sterling in a law suit now to be commenced in exchequer for recovery of overpaid customs on wines. Preses.
Duty on wines.

14 December 1725.

Edinburgh, Archibald M'Aulay and John Keir ; Pearth, William Fer-Sederunt. guson ; Dundee, George Ramsay ; Stirling, James Johnston ; Linlithgow, James Glen ; St Andrews, Patrick Lindsay ; Glasgow, John Stirling ; Ayr, Robert Wallace ; Kirkaldie, William Jeffrey ; Montrose, Collonell Robert Reid ; Dumfriese, Thomas Edgar ; Innerkeithing, John Cant ; Kinghorn, Patrick Beatson ; Dumbarton, Mr George Smollet ; Dumbar, William Fall ; Lanerk, John Bannantyne ; Peebles, John Ramadge ; Banff, Mr Andrew Hay ; Whithorn, John M'Gowan ; North Berwick, James Millar ; Cullen, Mr George Ogilvie ; Kilrenny, Mr David Bethune ; Annan, George Blair ; Sanquhar, George Irving ; Dingwall, Alexander Jolly ; Queensferry, James Huntar ; Inverary, James Nimmo ; Campbletoun, John Hogg ; (nine burghs *blank*).

1. George Drummond, lord provost of Edinburgh, elected preses.

Preses.

2. John Stirling, late bailie in Glasgow, having given in his commission the committee, before reading it, remitted to a committee "to search precedents how far it has been the custom of the royal burrows to admit members of the committee who were not contained in the commission to the last annual convention."

Commission
from Glasgow
remitted to a
committee.

3. Every member having given his opinion in relation to the malt tax, the committee remitted to a subcommittee to consider the affair and bring in such overtures as they might think proper. Malt tax.

16 December 1725.

4. The committee having heard the draught of a petition to the honourable house of commons transmitted to them by the subcommittee they approve thereof, the tenor whereof follows :— Draft petition
to parliament
approved.

To the honourable the commons of Great Britain in parliament assembled, the humble petition of the annual committee of the royal burrows of Scotland sheweth,—That from a deep sense of the indispensable duty upon all his Majestys subjects chearfully to submitt to the

EDINBURGH.
16 December
1725.

Draft petition
to parliament
approved.

aws, we beg leave to express our utter abhorrance of the disobedience thereof that has of late been shown in several places of this part of the United Kingdom on putting in execution the last act imposing a duty upon malt.

That your petitioners upon the first appearance of the disorders occasioned thereby did when met in a convention exert themselves to the utmost of their power in order to prevent and discourage the several tumults which happened thereupon, as was verry manifest by ane act past in the said convention and sent to all the burroughs of Scotland, and your petitioners are firmly resolved upon all occasions to shew a dutifull obedience to the laws and his Majestys goverment and to exert our selves in the respective burrows wee represent to influence the inhabitants thereto.

That your petitioners at the same time, in the most humble and submissive manner, beg leave to observe that such is the poverty of this country and that the quality of the grain, especially the growth of this year, is so verry mean that a duty upon malt for the ensuing year would not only render the brewars unable to continue brewing but even utterly ruine our trade.

Wee therefor most humbly pray that the honourable house of commons may consider what is above set forth and to grant us therein such relief as to you in your great wisdom shall seem meet.

Committee
on Glasgow
commission.
Corporal
punishments.

5. Recommended the committee appointed by the 2d act to proceed in the affair and report to next meeting.

6. Remitted to a subcommittee to bring in the draught of a letter to members of parliament "in relation to a clause in the late act of parliament suspending corporal punishments, &c."

Queensferry.

7. Allowed the member for Queensferry to answer a petition from Bailie Hill "complaining of undue practises in the late elections in the said burgh."

Copper coyn-
age.

8. Remitted to a subcommittee "to bring in ane overture anent a copper coynage as also the affair of the dues exacted by custom house officers."

17 December 1725.

Commission
for the burgh
of Glasgow
sustained.

9. The subcommittee to whom the affair of Mr Stirlings commission was committed reported that by a search in the records for thirteen years past they did observe that there are only two precedents for

receivieing commissions in favours of commissioners to annual committees but that the commissions in favours of any assessor to ane annual committee has been received, and did furdre observe that the aforesaid precedents were past without being objected against, whereby it still remains undetermined how far any commission in favours of commissioners to annual committees can be regularly received, and they having considered whether such commissions ought to be received or not were humbly of oppinion that the commission in favours of Mr Stirling should be received *pro hac vice* but that for hereafter no such commission should be received to any meeting of ane annual committee but that all the burrows should be represented in the annual committee by the persons thereto appointed by the general convention; which being considered by the committee they approve thereof and allows baillie Stirling to sit as a member *pro hac vice* but this not to be a precedent in time comeing.

EDINBURGH.
17 December
1725.
Commission
for the Burgh
of Glasgow
sustained.

10. The committee having heard the draught of ane address to be presented to his Majesty transmitted to them by the subcommittee they unanimously approved thereof, the tenor whereof follows:—To the King's most excellent Majesty, the committee of his Majesty's convention of royal burrows most humbly represents,—That our duty to your sacred Majesty and concern for our country make us reflect with the utmost detestation on the tumults and ryots which of late have happened in some places of Scotland on putting in execution the late act imposing a duty on malt. That the convention of your Majesties burrows at the first appearances of these disorders did what lay in their power to prevent them and it was with peculiar sorrow they heard that any of the burrows were the unhappy scene of them. That as it has been soe it always will be our unwearied endeavour to act on the principles of loyalty to your Majesty and your royal protestant family sent to us by the special and kind providence of God to support and mentain our liberties and holy religion and therefor to disappoint all the bad arts or open attempts of the enemys to your Majesties administration, to our sacred and civil rights, under what ever mask they disguise themselves. That we cannot be more fully perswaded of our own firmness to your Majesties person, family and government, than we are of your royal and gracious intentions for the welfare and happiness of all your people, and therefor are

Address to the
King, duty on
malt.

EDINBURGH,
17 December
1725.

Address to the
King, duty on
malt.

encouraged to hope that your Majesty will not be provoked against us by the insolent and wicked practises of those who are ill affected to your government and to all who faithfully adhere to it and the true intrest of their country and that your royal ear will be still open to our most humble and dutyfull requests. That wee have been and are for giveing all due obedience to your Majesties laws and cannot think of any method of being releived from such things as we apprehend to be hard upon us but by humbly representing it to your most gracious Majesty and your parliament, and therefor we beg leave with the most profound submission to represent that the malt tax is a burden too heavy for this country to bear, our poverty and want of corn, the great decay of our trade and the hitherto successless attempts to releive it, the meanness of our grain especially this year occasioned by the unnatural season, are melancholy truths too certain and universally known and are so many proofs of our inability to support the weight of this new tax. That this burden will funder incapacitat us to carry on the fishing trade and such other branches of commerce and manufacture as Scotland appears peculiarly designed for and whereby we hoped to improve this part of your Majesty's dominions and to render ourselves and our fellow subjects more able to serve your Majesty on all occasions. May it therefor please your most excellent Majesty to consider our circumstances and to grant us such releif as to your great wisdom and goodness shall seem meet. May it please your Majestie, your Majestys most loyal, most dutifull and most obedient subjects and servants. Signed, [etc.].

Committee to
wait on the
members of
parliament
anent the
address.

11. The committee recommend to their preses and such of their members as he shall call to wait on John Campbell, esquire, representative in parliament for Edinburgh, and pray of him to take the care of presenting the address to his Majesty and the petition to the house of commons, and als recommend to their preses to write letters to the other representatives of the royal burrows in parliament praying them to attend him, and agrees to delay the consideration of what is funder recommended to them by the thirty fifth act of the last annual convention untill the last Tuesday of January next and will then nominat one to goe from hence to sollicit that affair at London this winter if they find it necessary.

12. Delayed consideration of the petition and answers referred to in the 7th act till the meeting on the last Tuesday of January.

EDINBURGH.
17 December
1725.

25 January 1726.

Edinburgh, Archibald M'Aulay and John Keir; Stirling, James Johnstoun; Sederunt. Linlithgow, James Glen; St Andrews, Mr William Douglas; Glasgow, John Stirling; Ayr, Robert Wallace; Haddington, George Smyth; Kirkcaldie, William Jeffrey; Montrose, John Coutts; Inverkeithing, John Cant; Kinghorn, Patrick Beatson; Dumferling, John Walker; Dumbartoun, Mr George Smollet; Ranfrew, John Cochran; Dumbar, James Fall; Peebles, John Ramadge; Culross, John Halkerstoun; Banf, Mr Andrew Hay; Rothesay, George Drummond; North Berwick, James Millar; Cullen, Mr George Ogilvie; Kilrenny, Mr David Bethune; Annan, George Blair; Sanquhar, George Irving; Dingwall, Alexander Jolly; Queensferry, James Hunter; Inverary, James Nimmo; Campbeltoun, John Hogg; (nine burrows *blank*).

1. George Drummond, lord provost of Edinburgh, elected preses.

Preses.

2. The preses [reported that he had received] a letter from provost Campbell at London acquainting him that he with such of the other representatives of the burrows as were in town had waited of his Majesty and presented the committees address to him who was graciously pleased to give his answer thereto in write, the tenor whereof follows:—I am very sensible of the loyalty, duty and affection of my royal burrows of Scotland, which I have so often experienced, that I was greatly surprized to find that the arts and endeavours of disaffected and designing men had been able to raise such tumults and disorders in many parts of Scotland upon the execution of ane act of parliament for raiseing a duty imposed by the authority of the legislature of the United Kingdom of Great Britain; and as the royal burrows doe most justly reflect with the utmost detestation upon such dangerous and illegal proceedings I can never think of giveing the least countenance to ane open defiance of my authority and disobedience to the laws of the land, a dutifull submission and compliance with the laws under any supposed hardships being a better recommendation to obtain legal redress than violence and contempt of the legislative authority.

Address presented to his Majesty.

His Majesty's answer to the address.

3. The commissioner for the burgh of Glasgow presented to the committee a scheme of the Affrican or rather the South Sea Company for monopolizeing the trade to the coast of Africa by the specious pretence of

Opposing monopoly of trade to Africa.

EDINBURGH.
25 January
1726.

Opposing
monopoly of
trade to
Affrica.

lending to the goverment a million of money which scheme is designed to be brought into the house of commons this session of parliament in order to obtain a charter ; as also presented the copy of a letter wrote by the city of Liverpool to their representatives in parliament, which copy was transmitted in a letter to the provost of Glasgow to be communicated to the merchants of the said burgh, desireing them to use their utmost endeavours with their representatives in parliament to oppose the said scheme by setting forth the prejudice the trade of the nation in general would sustain thereby ; which being considered by the committee they appoint the commissioners for the burghs of Edinburgh, St Andrews, Glasgow, Montrose, Dumbar and Inverary, as a subcommittee, to prepare the draught of a letter to be sent by the committee to the representatives of the burrows in parliament praying them as they regaurd the welfare of the trade of this Island and particularly this part thereof to use their utmost endeavours to obstruct ane exclusive trade so detrimental to the nation and which is ane infringement on the liberty of the subject.

26 January 1726.

Letter of
thanks to mem-
bers.

Malt tax.

George Hill's
petition.

4. Appointed the committee to write a letter of thanks to the members of parliament for their care and trouble in presentation of address to the King.

5. Remitted to a subcommittee to prepare instructions to be given to one of their number to be sent to London to prosecute the affair of the malt tax.

6. Remitted to a subcommittee petition for Bailie George Hill in Queensferry and answers thereto.

27 January 1726.

Report on
George Hill's
petition.

7. On report by the subcommittee, it was agreed that both parties should submit their differences with respect to the election and town accounts to next annual convention, the magistrates of Queensferry give in a particular answer to Hill's grievances and he to answer the charge against him for his intromissions with the revenue.

Draught letter
to members of
parliament
approven.

8. The subcommittee appointed [by the 3d act brought in the following draught of a letter which was approved of and, with the copies therein mentioned, ordered to be sent to the representatives of the burghs in parliament:—] Sir,—It being the bussiness of the annual committee of the royal burrows of Scotland not only to concurr in promoteing trade in all its

branches throw the kingdom but also to attend to and endeavour to prevent so far as in their power any innovations may be designed which they judge of prejudice to the commerce of the nation. And a scheme for new modeling the Affrican Company having been transmitt from Liverpool to the magistrats of Glasgow and by them communicat to us, with the copy of a letter from Liverpool to their members of parliament, a copy of both which wee send yow inclosed ; and as we are of oppinion the said scheme from the monopoly in it designed of the worst consequence to that trade now in a most flourishing condition by its being diffused over all the tradeing ports in the nation, and are furdre perswaded it has too much the aspect of a stock jobbing project, we must intreat yow will, as yow tender the concern of the burrows yow represent and regaurd the intrest of the nation, doe all in your power to prevent this or any other monopoly of trade whatever, all such under whatever specious pretence they are vailed being calculat for particular views and directly opposit to the common intrest of the nation. We have directed some of our number to draw up a memoriall upon this subject which, to give yow a furdre idea of the affair and of how dangerous consequence it would be, shall be transmitt how soon the same can be gott ready. In the meantime wee have desired John Campbell, esquire, to lay this before yow and the other members of the honourable house of commons who represent our country. We are [etc.]. Edinburgh 27th January 1726.

EDINBURGH.
27 January
1726.

Draught letter
to members of
parliament
approven.

9. Appointed a subcommittee to draw up the memorial anent the African trade to be sent to the burghs' representatives in parliament. Memorial to representatives in parliament.

10. The committee appointed by the 5th act submitted the draught of a commission and recommended "that George Drummond, esq., lord provost of Edinburgh, should be intreated to accept of that service and trust out of regard to his country in general and the estate of burrows in particular." The committee approved of the report and authorised the agent to pay the lord provost £200 and such other sums as are necessary for defraying his expenses. Report anent instructions to commissioner to London.

[As authorised by the 35th act of last general convention the annual committee appointed George Drummond, lord provost of Edinburgh,] Commission to George Drummond.
to repair to London and there in name and behalf of the said royal burrows to take and follow furth the best measures for makeing effectual the applications by them already made to the King and to the parliament

EDINBURGH.
27 January
1726.

Commission to
George Drum-
mond.

for ane exemption to Scotland from any tax on malt that hereafter may be imposed on Brittain, and in case a total exemption from such tax cannot be obtained then to use all good and proper means to procure the greatest ease and abatement thereof for Scotland that he can in such way and manner as shall be consistent with and agreeable to the treaty of Union between Scotland and England. . . . And furdur the said annual committee doe hereby most humbly and earnestly recommend unto and intreat the members of parliament for Scotland and particularly those for the royal burrows to countenance, support and concurr with the said George Drummond for the purposes above mentioned and to give full trust and credit unto him concerning the same as unto the general convention of royal burrows or their said annual committee by whom he is so amply impowered and commissioned.

Overpaid duty
on wines.

11. Instructed the agent to pay the sum of £25 formerly allowed for prosecuting the repayment of the overpaid duty on wines and appointed a sub-committee to examine the accounts and report what farther sum they judge necessary to beexpended in prosecuting the affair.

9 February 1726.

Sederunt.

Edinburgh, Archibald M'Aulay and John Keir; Stirling, Coll. John Erskin; St Andrews, Patrick Lindsay; Ayr, Robert Wallace; Banf, Mr Andrew Hay; Kilrenny, Mr David Bethune; Sanquhar, George Irving; Inverary, James Nimmo; Campbeltoun, John Hogg.

Preses.

1. Archibald M'Aulay elected preses.

Manufactures
of Scotland.

2. There was presented to the committee proposalls from the committee of improvers touching the improvement of the manufactures of Scotland and other matters of importance to the nation in general and the state of burrows in particular; which being read in presence of the committee and they having spent some time in reasoning thereon they delayed the furdur consideration of the matters set furth in the said memoriall untill the seventeenth instant that there be a more frequent meeting of the committee.

17 February 1726.

Sederunt.

Edinburgh, Archibald M'Aulay; Pearth, William Ferguson; Stirling, James Johnstoun; Dundee, Alexander Ferrier; Linlithgow, James Glen; St

Andrews, Mr William Douglas ; Glasgow, John Stirling ; Ayr, Robert Wallace ; EDINBURGH.
 Hadingtoun, George Smyth ; Kirkaldie, (*blank*) Jeffrey ; Montrose, John 17 February
 Coutts ; Dumfriese, James Corrie ; Innerkeithing, John Cant ; Kinghorn, 1726.
 Patrick Beatson ; Dumfermling, Mr John Walker ; Selkirk, Thomas Elliot ; Sederunt.
 Dumbarton, Mr George Smollet ; Ranfrew, Mr John Cochran ; Dunbar, James
 Fall ; Lanerk, John Bannantyne ; Peebles, John Ramadge ; Banf, Mr Andrew
 Hay ; Whithorn, John M'Gowan ; North Berwick, James Millar ; Cullen, Mr
 George Ogilvie ; Kilrenny, Mr David Bethune ; Sanquhar, George Irving ;
 Dingwall, Alexander Jolly ; Queensferry, James Huntar ; Campbeltoun, John
 Hogg ; (seven burghs *blank*).

1. George Drummond, lord provost of Edinburgh, elected preses.

Preses.

2. The proposalls from the committee of improvers being read and fully argued and the powers and instructions granted by the annual committee to the right honourable George Drummond, esquire, their preses, to solicit ane exemption to Scotland from any tax that hereafter shall be imposed on malt being considered, the committee of the royal burrows resolved in regaurd the aforesaid powers and instructions granted to their said preses which are hereby approved of and confirmed are so extensive and full in relation to the said tax that it appears unnecessary to add to or alter the same, and furdur resolved that the moneys settled by act of parliament for encouraging the trade and manufacture of Scotland should be applyed for and the appropriation and management thereof should be settled by parliament fully and distinctly soe as that all mis-application may be effectually prevented, and for that purpose that a letter be wrote to the members of parliament ; and the committee appointed [a sub-committee] to bring in the draught of such a letter accordingly.

Moneys settled for encouraging manufactures to be applyd for.

3. The subcommittee appointed [by the foregoing act presented the draught of the following letter which was approved of and ordered to be transmitted to the members of parliament :—]

Draught letter to members of parliament approved.

Sir,—The annual committee of the royal burrows of Scotland having at their meeting of this date taken into their serious consideration the universal poverty of the country, the low estate of trade and the languishing condition of our manufacturys for want of proper encouragement, have unanimously resolved to instruct their representatives to apply for a law or clause in ane act of parliament appointing that the fourteen thousand pounds already appropriated for

EDINBURGH.
17 February
1726.

Draught letter
to members of
parliament
approved.

encouraging the manufacture of course wool of the product of this country, and that the two thousand pounds per annum payable and fallen due by ane act of the 5th of the King, whereof twelve thousand pounds is already incurred, be both payed up by the publick and turned into a capital sum to be laid out at ane intrest of four per cent to be payed quarterly, and that the intrest of the saids two sums amounting to twenty sex thousand pounds, with the said two thousand of ane annual equivalent, should be regularly applied for encourageing the manufacture of the product of this country, for educating and imploying the poor of the country for these purposes only, and for encouraging the trade of fishing.

That the direction and application of this annual fund may be putt into the hands of disinterested persons who may be judged best qualified for the execution of this design and that they be allowed no more for their trouble than their necessary expences at their several meetings in the same manner with the directors of the Bank of Scotland.

That these managers may be accomptable for their conduct and direction of this fund for these national purposes to a certain number of the judges of the courts of session and exchequer, to one or more gentlemen to be chosen annually by the heritors of each shyre and one to be chosen by each royal burrow, or in such other manner as the parliament shall think fitt, that the purposes for which this fund is appointed and the management of the fund may be specially directed by the act, and that you use your utmost endeavours and intrest to procure such other funds and encouragements from the publick towards the forwarding and carrying on of the publick national purposes as can possibly be obtained.

As to the malt tax wee have given full powers to the right honourable George Drummond, esq., lord provost of Edinburgh, our preses, to whom wee begg yow will give credit and your utmost assistance for procureing such releif therein as may be most easie and agreeable to the country.

These purposes, Sir, being of a publick and national concern, wee expect yow will exert your self with the utmost dilligence for procureing a law or clause in ane act of parliament to be passed this session that the good ends proposed by it may be fully answered. Wee humbly hope for these things to this poor country from the goodness of his Majesty

and the equity of a British parliament and wee on our part promise a gratefull recentment such as becomes dutifull subjects to have for a general good done to our country, and doe assure yow in particular that in as far as yow contribute towards attaining these valuable purposes herein proposed yow will render your self most acceptable to your constituents. We are, [etc.] Edinburgh 17th February 1726.

EDINBURGH.
17 February
1726.
Draught letter
to members of
parliament
approved.

4. Collonell John Erskin, commissioner for the burgh of Stirling, moved that the committee should send up a congratulatory address to his Majesty on occasion of his safe return to Britain, and presented the draught thereof, which being read the committee unanimously approved thereof and appointed the same to be signed in their name by the right honourable George Drummond, esq., lord provost of the city of Edinburgh, their preses, and by him to be presented to his Majesty, and also appointed his lordship to give the thanks of the committee to the commissioner for Stirling for bringing in the draught of the said address; of which address the tenor follows:—To the Kings most excellent Majesty. The humble address of the annual committee of the royal burrows of Scotland. May it please your Majesty,—The joy which your happy return to your British dominions filled us with can only be conceived by such who felt the same pain that wee did by the hazards to which your sacred person was exposed in a journey and voyage dureing the storms of a violent winter. Wee see our country safe in your Majesty's safety, and with loyal hearts wee beg leave to express our thankfullness to Almighty God for your preservation to be still a blessing to your subjects and the support of the protestant intrest in Europe. The world and our consciences must condemn us as ungratefull to our God and to our King by whom He conferrs so many and great mercies upon us, and as insensible and unworthy of our happiness, if it be not our unfeigned and constant endeavour to support your Majesties goverment and to procure from others with whom wee have influence as well as our selves to render all just and due obedience and submission to your Majesty's authority and laws and to defeat the pernicious practises of all who openly and secretly attempt any thing to the disturbance of your Majestys administration. It is by such a conduct rather than by words that wee desire to testify with how much firmness and zeall wee are, may it please your Majesty, your Majestys most dutifull loyal and faithfull subjects and servants, [etc.].

Draught of ane
address to his
Majesty
approved.

2 March 1726.

EDINBURGH. Edinburgh, Archibald M'Aulay ; Stirling, Collonel John Erskin ; Ranfrew,
 2 March 1726. John Cochran ; Sanquhar, George Irving ; Inverary, James Nimmo ; Campble-
 Sederunt. toun, John Hogg.

Preses chosen. 1. Archibald M'Aulay elected preses.

Letter from the 2. The preses presented to the committee a letter in Dutch, [with
 magistrats of an English translation, from the magistrats of Camppeer to the royal
 Campvere. burghs, dated 9th February 1726, to which the preses was appointed to
 reply. The following is the translation:—]

Right honourable,—It much surprizeth us to learn that some merchants of Rotterdam and other places have caused reports to be spread and devulged in several of the royal burrows of Scotland as if their high and mightinesses the states general of the United Provinces (with concurrence of this province and consequently with our consent) should have prohibite and forbid the importation to this port of all court or staple goods by their placaat dated 25th July 1725 relateing to the raising of dutys and customs on merchandize. Therefor we find ourself oblidged hereby to assure your honours of the falsity of those reports which have been maliciously contrived with design to draw away your honours traders that are well inclined to the staple port from thence and to promote their own particular intrests and profit, for there's no mention made in the aforesaid placaat of the staple port here at Campveer much less its being mortified and annulled thereby. On the contrary their high and mightinesses by their posterior resolution of date 21 November 1725 have found good and consented that the Scots staple port here continue provydeing under pretence of staple goods no frauds be committed which their high and mightinesses could never heretofore resolve on. Further we must acquaint your honours that the respective members and towns of state which compose the sovereign government of this province (under whose approbation and ratification the staple contract was agreed and concluded betwixt your honours on the one and this town on the other side) have of late in the moneth of December last again undertaken to warrand and promised to help mentain the forsaid staple contract in all its points and articles. For a proof and unanswerable evidence of

what we have the honour to represent to your honours we shall only tell you that skipper John Cormach on 12th October, Daniel Farquharson on 5th December 1725, and Anthony Lewling on the 12th January 1726, arrived at this port from Scotland with staple goods and that they unloaded their whole cargos here as formerly without being subject to any search in livering much less paying any inward duty or custom. Therefore we shall continue in a full assurance that your honours as being the principal maintainers of the staple port will give no credit to these false reports but on the contrary that you will encourage and animat your merchants and traders to ane inviolable and more strict observance as heretofore of the staple port in this town as we on our side in all sincerity doe promise to doe always without receding. We recommend your honours to the protection of the Most High and remain your lordships most humble servants. Signed by order.

EDINBURGH.
2 March 1726.
Letter from the
magistrats of
Campvere.

8 March 1726.

Edinburgh, Archibald M'Aulay; Stirling, Collonel John Erskine; Linlithgow, James Glen; Dunbartoun, Mr George Smollet; Ranfrew, Mr John Cochran; Banf, Mr Andrew Hay; Whithorn, John M'Gowan; Sanquhar, George Irving; Dingwall, Alexander Jolly; Inverary, James Nimmo.

Sederunt.

1. Archibald M'Aulay, dean of guild of Edinburgh, elected preses.

Preses.

2. [The following letter from the lord provost of Edinburgh was read and the answer agreed to :—] London 1st March 1726.—Sir,—Before I left Edinburgh I communicated the improvers proposition to some of my friends here as thinking it the fairest and the most equitable one and what promised the most good to the countrey of any that had cast up. At my comeing up I found all hopes of getting quite of the malt tax altogether was absolutely vain and that our friends finding it so had considered of the proposition and judgeing of it as we did below had been labouring it with all the application they could as what they imagined would tend to the solid good of the countrey. It was a matter of great difficulty to bring the ministry to listen to any concession in favour of a countrey that had abused the last years lenity of reduceing the tax from 6d. to 3d. and the honour of the goverment was a hard pull to gett over. However at my comeing I found the way so far paved that the moving

Letter from
the lord
provost of
Edinburgh.

EDINBURGH.
8 March 1726.
Letter from the
lord provost of
Edinburgh.

the malt tax in the committee of supply was put off till yesterday. I was in the meantime allowed to represent to the ministry the circumstances as well as the present disposition of the country, which I did fairly and honestly, and was a little listened too. On Sunday last I was ordered to dine at Sir Robert Walpoles where were present the 5 lords of the treasury, Mr Horace Walpole and Mr Scrope, Lord Ilay, Lord Advocat, Mr Daniel Campbell and I. Here the whole affair was fully argued and after a great deall of reasoning in which our Scots people shewed a thorough regard for the intrest of their country the thresaury agreed to explain the article of the surcharge soe as to please us and to add a clause to the bill giving us the surplus. The articles of the £14,000 and £2000 per annum as they are to be standing cannot with any propriety stand part of ane annual bill, but I hope I may say it is so far understood that they will be settled this session of parliament in the manner I am instructed to follow it out. As any thing further passes in this matter I shall advise yow from time to time. I am verry hopefull the honesty the burrows have shoven upon this occasion for the good of their countrey must accresce to their honour since I verrily believe without their action the only season for obtaining so great a national good would have been lost and the tax would have continued as it was. You'll please communicat this to them and assure them that I am, [etc.]. *Sic subscribitur*: Geo. Drummond.

Answer to lord
provost's
letter.

Follows the preses answer to the above letter:—My lord,—I have the honour of your lordship's which I communicated to the committee of royal burrows this forenoon. I am commanded by them to signify to your lordship their great sense of the justice of the ministry with respect to the present concerns of this poor country. They heartily approve of what yow have done and they rest satisfyed yow will neglect no opportunity that may offer for advanceing the intrests of the country in having the equivalent settled by law made effectually, the clause of surcharge removed, and the surplusage of the £20,000 sterling includeing the expence of managment given to the country for the improvement of her manufactorys. The committee have ordered the absent members to be acquainted with what is done above and a letter is accordingly sent off to

each of them this evening who I hope will be of the same sentiments with us. The committee offer their best respects to your lordship ; and I am, [etc.].

EDINBURGH.
8 March 1726.

3. The committee appointed their preses to acquaint the absent members with the lord provost of Edinburgh's proceedings and agreed to the draught of a letter for that purpose.

Draught of a
letter to the
absent mem-
bers.

22 March 1726.

Edinburgh, Archibald M'Aulay ; Dumbarton, Mr George Smollet ; Ran- Sederunt. frew, Mr John Cochran ; Banf, Mr Andrew Hay ; Dingwall, Alexander Jolly ; Inverary, James Nimmo.

1. Archibald M'Aulay elected preses.

2. The following letter from the lord provost of Edinburgh was read and the answer agreed to :—

Preses.
Letter from
lord provost of
Edinburgh.

London, 17th March 1726. Gentlemen,—I am to acknowledge yours of the 10th, the contents of which I notice.

Yow wanted to know from me in a former in what way our members thought of our proposition, in answer to which I am sorry to tell yow that they are not at one about it. I will name no names because I am sure the gentlemen who think differently from us think with as much sincere integrity for the good of their countrey as wee doe.

The malt bill has gott a second reading and if I can I'll send yow this post a copy of the surcharge clause which our people here are satisfied can doe us no sort of harm. In any event my lord advocat had settled with Mr Scrope the surplus clause, which Mr Scrope was by concert to move to-morrow to have the committee instructed to receive, but I am in very great fears that the misapprehensions of some of our own people murder it.

Some of them say the landed intrest pay the tax and its more reasonable that the surplus should be preserved in order to lesson that tax at two years distance to the countrey, for it cannot be known sooner what it amounts to, than to apply it to any projects whatever, having no faith in anything that can be proposed for the good of the countrey.

EDINBURGH.
22 March 1726.
Letter from
lord provost of
Edinburgh.

The way to preserve this surplus to the countrey is that by a clause it shall be directed to lye in the exchequer for the use of Scotland till appropriated by parliament. I did not expect to have had any trouble of this sort to convince gentlemen what was obviously the intrest of their countrey but at present its the part of the affair that threatens most the disappointment of the whole.

I have taken all the pains I can to explain to these gentlemen what I apprehend may be the consequence of their carrying their proposition. I beleive its scarce necessary to mention the topicks of argueing or at least to doe any more than hint them. Its a mistaken notion that the landed intrest pay this tax. Till the rate of a commodity is brought up to a higher price than the consumer can give for it the consumer pays the tax. The applying the surplus to Scots national purposes promises much fairer to induce England to lessen the rate per bushell then the letting the money lye in the exchequer, for if £20,000 clear of charge of management is what England will have and no more, if the 3d. per bushell produces £24,000 and the £4,000 is applied to encourage manufactures, its not coming into the publick will naturally induce gentlemen of this countrey to allow of the lessening the tax from 3d. to 2½d. if the countrey should soe think fitt, whereas if the money lyes in the exchequer they verry well know it goes to the use of the publick and will verry probably tell us when wee come to propose a method of application, if ever we propose one: No! gentlemen, wee see yow can pay it and yow shall pay it.

I gave them ane instance of the effect of ane humour of this kind in the case of the £2,000 per annum. The tresaury then would have allowed us to apply it, but a jealous, peevish, narrow spirit of division then took place among our members which forced them to leave the application thereof to parliament. The money has been converted to the use of the publick ever since and now wee are told it was a provision made to us indeed by parliament but upon unjustifiable grounds and therefor it should not be given us. They doe agree with me that unless the surplus exceed £20,000 in the sum of £4,000, which is the proportion of ½d. to 3d., its in vain to imagine that the house will listen to a motion for abateing the tax a fraction of a penny under a halfpenny. I thence

argued the probability that the 3d. would not produce £24,000 and of course that their plan would for ever subject Scotland to the 3d. per bushell, for it's certain we can't exactly know what the surplus will be till a year after the expiration of this years tax. Now on the supposition that the surplus is £1,500 or £2,000 how will this work two years hence. Instead of the word £20,000 we shall get £18,000 put in. Suppose also that the second years tax produces but £18,000, will not England stop any more abatements, will they keep ane accountt current with Scotland to goe forward and backward upon it always. Its unconceivable.

EDINBURGH.
22 March 1726.
Letter from
lord provost of
Edinburgh.

They tell me it will be most acceptable to the countrey to doe it in their way. I answer I doe not beleive the fact, but as this partly stands upon our assertion, tho' I should think your statments gives the evidence of my syde, yet I say, further, goe into my proposition and if yow find the countrey angry tell them a shilling of this surplus cannot be touched till after Christmas come twelve moneth and yow can alter the appropriation before it takes place and no harm is done, whereas in your way yow risq the whole.

This is the present state of our question. As the scene opens further I'll be sure to advise yow. I have the honour of being, [etc.].

Follows the answer to the foregoing letter :—My lord,—I laid yours of the 17th before the committee and am ordered to make the following return in their name :—We are of oppinion that the whole of your reasoning in favour of the proposition in opposition to the surplus being laid in exchequer to diminish the tax of another year is next to a demonstration. Wee dispair of ever seing the tax diminished or any manner of good acressing to this poor countrey from the surplus's being laid up in the exchequer for the purpose pretended by the new propo:all. We think it very hard that our own countrey people dispair of ever seeing the manufacture or fishing proper to it upon a better footing. Its true a good many national projects have miscarried in our hands but ther the reason is soe very obvious that it scarce needs to be insisted on. The moneys upon which they were founded was advanced out of privat pockets who had neither spare money enough to advance nor patience to wait till the projects came to bear soe as to make returns. Besides wee are con-

Answer to the
lord provost's
letter.

EDINBURGH,
22 March 1726.
Answer to the
lord provost's
letter.

vinced that neither manufacture nor the fishing trade can thrive here in the hands of bulky companys but can verry distinctly see that both will succeed in the channel of encouragment given to privat hands under propper regulations. Will you ask these gentlemen whether the premiums given upon exported corn and fish has not considerably increased the exportation of these branches or by what means our neighbouring country of Ireland has been rendered capable of exporting such vast quantitys of linning cloath. Not many years agoe that country provided itself in this article from other places but under favour of their being indulged to cess their countrey in £10,000 per annum to be applyed for the encouragment of this manufacture, we are assured that they annually export to the value of £150,000 of linnen besides what serves their own consumpt.

Inform the gentlemen that our linnen cloath and Aberdeen's sarges, articles that used to make a considerable return yearly to this countrey, have now lost all reputation at forreign mercats and will it be of no use under the pressure of what the country hope for from the improvers' scheme that the credit of these branches should be restored again? We think it of the last consequence.

We doe not understand your paragraph about the £2,000 per annum made over by act of parliament to this countrey in lieu of our excrement equivalents. Wee cannot allow ourselves to think that either the legislature or ministry mean that because that money has not yet been appropriated that it should never be so to national purposes here when our circumstances calls so loudly for it. We hope we have mistaken the meaning of the paragraph and that this sum as well what has already fallen due as its annual produce will be particularly appropriated in terms of the proposition together with the superplus that shall arise from the 3d. a bushell and annualrent of the £14,000.

We was under no apprehensions that the matter should have mett with any rub from any of our own country gentlemen whom wee know wish the prosperity of this poor country, but wee are verry hopefull when they have thought deliberatly and coolly upon it and taken a complex view of the proposition they think most for the intrest of the country and the one yow are instructed to prosecut, they will be of your syde of

the question, for its demonstrable beyond all contradiction that 4 or £5000 a year applyed with judgment towards the encouragment of our manufactures and fishing would enable us to export ten times that value more than wee can doe without it in the progress of a verry few years.

EDINBURGH
22 March 1726.
Answer to the
lord provost's
letter.

24 March 1726.

Edinburgh, Archibald M'Aulay; Ranfrew, Mr John Cochran; Whithorn, Sederunt.
John M'Gowan; Annan, Mr Charles Erskin; Dingwall, Alexander Jolly;
Inverary, James Nimmo; Campbletoun, John Hogg.

1. Archibald M'Aulay elected preses.

2. The following letter from the lord provost of Edinburgh was read and the answer agreed to:—

Preses.
Letter from
the lord pro-
vost of
Edinburgh.

London, 19th March 1726. Gentlemen,—I acquainted yow last post with the difficultys that were like to arise about the application of the surplus of the malt tax if any is to national purposes from some of our own members, who I am perswaded meant their country's good as sincerely as we doe. Yesterday my lord advocat moved for the instruction to the committee which you see in the votes and was seconded by Sir William Younge. The motion was opposed by a gentleman of our cuntry in terms to this purpose that he was for appropriating for the use of Scotland in general words but was against the tying it down in the appropriation to trade and manufactures. Several English gentlemen spoke upon this. What they insisted on was the favour that had been shown to Scotland last year in imposeing but 3d after a total indulgence for a number of years, and were they now to be told that the publick was not intituled to the whole of the 3d, were they to be told that the surplus was to be applyed to encourage trade and manufactures and thereby to putt Scotland in a more advantagious foot than England. The advocat spoke in answer to one or two of them and shewed that when Scotland payed 3d and England 6d it was more than in equity Scotland was subjected to. This he demonstrated from a calculation whereby it appeared that the common brewar in London had for the net produce of the drink brewed from a quarter of malt exclusive of all dutys more than double what the common brewar in Scotland had. He explain'd his proposition a little further and showed the reasonableness and equity

EDINBURGH.
24 March 1726.
Letter from the
lord provost of
Edinburgh.

of it from several topicks. After he had done the dispute still went on and against us till Sir Robert Walpole took it up. His speech was indeed the finest I ever heard in that house. As he continued for almost half ane hour I cannot pretend to resume it. In general, as the running down any proposition of that sort in favour of Scotland called him up what he said was wholly calculated to allay that spirit and to convince people that it was both just and prudent to give such encouragements to Scotland as might put new spirits in that people and incite them to industry. He counted it unreasonable to say if Bristoll or Liverpool throve in trade it was not England really that throve tho' these places were remote from London. That it was equally unreasonable to imagine that Scotlands prospering in trade was not really to the advantage of Great Britain in general. He did indeed say that if Scotland had continued in a state of rebellion against the law, should it have coast the nation a million of money to reduce them the honour of the goverment required the reduceing them to their duty without makeing them any concessions, but now that they were in a state of quiet, willingly complying with the law, he thought it extreamly reasonable to make them any just concession to enable them the more chearfully and dutifully to obey, and therefor he was for the question as it was moved.

There was little more said after this. Upon putting the previous question to adjourn the debate all our people save two, apprehending it was losing the whole provision about the surplus, divided against adjourning. It was 93 against 27. The advocats proposition was next putt and carried without a division.

The meaning of the instruction to the committee to receive a clause about regulating the price of the two penny ale is that the brewars may sell their drink at a higher rate than 9 shillings 6d. the barrell without becomeing thereby liable for more than the 2d. duty of excise.

The clauses are to be brought into the committee on Monday, and by the Tuesdays post I shall advise yow what fate they have. In the meantime this difference of sentiments among our own countrymen gives me great uneasiness. If the tax could be reduced to 2½d. or 2d. I should most readily agree to it, but, as the ministry cannot be perswaded that 2½d. will raise the £2,000, I am the more convinced the longer I think and

reason about it that the application of it honestly to provoke our country to industry is most for the advantage of the country and that this clause if it carryed gives Scotland a sort of right that they can at no time be charged with more than £20,000, whereas the letting the money lye in the hands of the government is the way to fix our present quota without reaping any national advantage by the present happy disposition the goverment seem to be in to doe us good.

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Letter from the
lord provost of
Edinburgh.

I hope the whole country will in time be convinced that these sentiments are just and that my following them out is obeying your orders. I am, [etc.].

Follows the answer to the above letter :—My lord,—We had the honour of yours the 19th. In our last we gave you our sentiments that wee were still of oppinion that the surplus of the 3d. a busbell attour the £20,000, would be most profitably employed for the good of the country in encouraging our manufactures and fishing and hinted at our reasons for thinking so which we believe are solid. Wee are sorry this proposall meets with any opposition from our members but are fully convinced by the time that surplus and the other funds are honestly applied to these purposes they will be convinced of their mistake.

Answer to
lord provost's
letter.

There is one thing which wee think of verry great importance on this head which yow have made no mention of. We see the legislature mean that £20,000 neat should be payed into the exchequer and wee hope the friends of this country will concurr with yow in settleing the expence of levying at as moderat a sum as possible.

Wee have conceived greater hopes of the success of applying the exressence of the malt tax towards the promoteing trade and manufactures since by last post we are informed of the fine appearance made in behalf of our country by the honourable person at the head of the treasury, by whose influence alone wee hear from many hands this advantage was obtained to our country notwithstanding of great opposition offered to it, and we could not forbear mentioning this to yow as is far as in our power to express the gratefull sense we have of the goodness of that great and most humane patriot who has not suffered himself to be provoked by the illegall and ill judged steps taken by some of our unthinking countrymen in opposition to law, who now must be convinced that the only

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Answer to
lord provost's
letter.

sure way to have relief is to give obedience to the legislature when recourse can be had to those in power who are ready to give ear to just complaints of the lowness of our circumstances. Since it has not been in the power of our representatives to gett the country totally exemed from this tax wee shall always intertain the most gratefull sentiments towards them for doing the best for the country and particularly to that member who had the honour to make the motion for the instruction to the committee.

Wee have repeated complaints from all corners of the country of the scarcity of coper coyn which verry much emberraces our commerce especially at fairs and mercats. It's of great prejudice to a great many royal burrows whose revenues consist of petty customs, and also to the poor it would be of verry great use, to have a coper coynage here of half-pence, farthings, and Scots two pennies, and if possible silver three pences. This ought to be warmly applyed for and we hope the grant may be so guarded that no ill consequences arise from it.

We are convinced that your lordship has had great fatigue in the affairs committed to yow considering that our own members do so widly differ as to what is the real intrest of the country. All wee can doe is heartily to sympathize with yow, and wee doubt not yow'll continue your best offices that the advantages resulting from this affair may redound to the poor country in general and not be intercepted by privat persons who might endeavour by converting into a job to turn them to their own particular account or that of their friends.

My lord, I join with the gratefull sentiments exprest above towards those honourable gentlemen who have made so seasonable ane appearance for this poor country. It only remains that I assure yow that I have the honour to be, [etc.].

GENERAL CONVENTION *held at* EDINBURGH.

EDINBURGH.
5 July 1726.
Sederunt.

Edinburgh, Archibald M'Aulay and David M'Clelland; Pearth, William Ferguson; Dundee, George Ramsay; Aberdeen, Robert Stewart; Stirling, Doctor James Johnstoun; Linlithgow, James Glen; St Andrews, William Douglas; Glasgow, John Stark; Ayr, Thomas Garvine; Hadingtoun, George

Smyth ; Dysart, John Black ; Kirkaldie, James Jeffrey ; Montrose, James EDINBURGH.
 Smyth ; Coupar, David Rutherford ; Anstruther Easter, Sir John Anstruther ; 5 July 1726.
 Dumfreise, Thomas Edgar ; Inverness, William M'Cleane ; Bruntisland, James Sederunt.
 Alexander ; Innerkeithing, Henry Cunningham ; Kinghorn, Mr Alex. Leslie ;
 Brechin, Mr Andrew Doig ; Irving, William M'Taghart ; Jedburgh, James
 Douglas ; Kirkudbright, William Gordon ; Wigtoun, John M'Kie ; Pittenweem,
 William Bell younger ; Dumfermling, Mr John Walker ; Anstruther Wester,
 John Cunningham ; Selkirk, John Pringle ; Dumbarton, Mr George Smollet ;
 Dunbar, James Fall ; Lanerk, John Russell ; Aberbrothock, John Wallace ;
 Elgine, James Innes ; Peebles, John Ramadge ; Craill, William Watson ;
 Tain, George master of Ross ; Culross, William Paton ; Banf, Mr George
 Ogilvie ; Whithorn, John Dunlop ; Forfar, William Binning ; Rothesay, George
 Gordon ; Forress, Capt. Robert Urquhart ; Ruglen, John Muir ; North
 Berwick, James Millar ; Cullen, Mr John Philip ; Lauder, Andrew Wood ;
 Kilrenny, Mr David Bethune ; Annan, Mr George Blair ; Lochmaben, Robert
 Robison ; Sanquhar, John Crichton ; New Galloway, Mathew Millar ; Queens-
 ferry, James Hunter ; Fortrose, Hugh Dallas ; Kintore, Robert Bruce ;
 Inverurie, George Mearns ; Inverary, James Nimmo ; Wick, Coll. Robt.
 Monro ; Inverbervie, James Cormack ; Stranrawer, Mr Hugh Dalrymple, junr. ;
 Completown, Alexander Frazer. (Five burrows *blank*.)

5 July 1726.

- | | |
|--|-------------------------|
| 1. George Drummond, lord provost of Edinburgh, elected preses. | Preses. |
| 2. Read act appointed to be laid before the convention anent missive dues. | Act anent missive dues. |
| 3. Appointed a committee to consider the whole commissions. | Commissions. |

6 July 1726.

- | | |
|---|---|
| 4. Approved of report by the committee and sustained the commissions therein mentioned. | Report on commissions. |
| 5. Received and approved of commissions from five burghs. | Commissions approved. |
| 6. Mr Duncan Forbes, his Majesty's advocat, presented to the convention a letter from his Majesty directed to the general convention of royal burrows, which being twice read [was remitted to a committee with instructions to bring in the draught of an answer,] of which letter the tenor follows :— <i>Sic superscribitur</i> ; GEORGE, R. Trusty and beloved we greet yow well. We having observed that the several sums of money | Letter from his Majesty to commissioners. |

EDINBURGH.
6 July 1726.

Letter from his
Majesty to
commissioners.

reserved and provided by the treaty of Union and by divers acts of parliament to be employed for the improvement of fisherys and manufactures in Scotland have not hitherto been applyed to the uses for which they were intended, principally because no particular plan or method hath been concerted directing the manner in which these sums should be applyed for the said purposes, and being desirous to remove that hindrance as speedily as may be we have thought good to recommend it to yow that at your first general meeting in the moneth of July next yow doe take into your consideration the state of the said fisherys and manufactures and of the moneys provyded for encouraging the same; and that by yourselves or by committees of your number yow doe devise and propose the particular methods, rules and regulations, which to you shall seem the most propper for the application of the said sums towards the encouraging and promoteing fisherys and such other manufactures and improvements in Scotland as shall most conduce to the general good of the United Kingdom, and that yow doe return to us the propositions in which yow shall have agreed, to the end that upon due consideration thereof a certain method may be settled for the application and management of those sums for the future. The welfare of our loveing people of Scotland and the prosperity of the royal burrows is so much concerned in what wee recommend to yow that wee doubt not yow will goe on in the execution of what is expected from yow with the utmost dilligence, unanimity and impartiality; and on our part we assure yow of our countenance and encouragement in what yow shall propose for the real good of your country consistent with the general intrest of our United Kingdom; and soe wee bid yow heartily farewell. Given at our court, at Kingsingtoun, the seventh day of June 1726 in the twelveth year of our reign.

Answer to his
Majesty's
letter.

7. [Approved of the following draught of an answer to his Majesty's letter which was ordered to be transmitted to the Duke of Newcastle, principal secretary of state, for presentation:—]

May it please your Majesty. With the greatest joy and gratitude we received your Majesties most gracious letter commanding us to devise and propose a plan or method for applying the several sums of money that have by the treaty of Union and different acts of parliament been

provided for the encouragement of trade and manufactures in this part of your United Kingdom to the purposes for which they were intended.

EDINBURGH.
6 July 1726.
Answer to his
Majesty's
letter.

The concern expressed by your Majesty for the welfare of your people and this particular instance of your great goodness and tenderness towards them must fill the hearts of all your loyal subjects in this part of Britain with the utmost duty and thankfulness and defeat the attempts of those who vainly imagine they may find their account in creating and fomenting nationall discontents. The commands which your Majesty has been pleased to lay upon us we cheerfully undertake, and as our low state in respect to trade and manufactuees demands a speedy remedy we think ourselves bound in duty to your Majesty and in regard to our country to contribute our utmost endeavours to carry on your Majestys most gracious purpose that your Majesty may speedily reap the fruits of your goodness and bounty in the prosperity of your people. We shall therefor without any loss of time, by ourselves and by committees of our number, sett about what your Majesty has recommended to us and shall most humbly lay our propositions before your Majesty so soon as we shall be agreed in them.

That the crown may long flourish on your sacred head and be continued in your royal family to latest posterity are the earnest prayers of, may it please your Majesty, [etc.].

8. Resolved to consider his Majesty's letter before all other business on Friday morning. His Majesty's letter.

9. Remitted the general missive to a committee.

Missive.

10. Remitted to same committee letter from the magistrates of Camphere.

Camphere.

8 July 1726.

11. Appointed a committee "to consider and devise such methods as may most effectually answer his Majesty's most gracious intention of encouraging the trade of fishing and other manufactures of this part of the United Kingdom and for putting the laws and acts of parliament relateing thereto to due and effectuell execution and how the funds appropriat for encouragement thereof may be most advantagiously bestowed," and the commissioners of seven burghs were appointed to draw up instructions to the committee for the approbation of the convention.

His Majesty's
letter.

12, 13. Approved of commissions for Bruntisland, Inverkeithing and Wigtoun.

Commissions
approved.

9 July 1726.

EDINBURGH. 14. Appointed the agent to give in a list of burghs deficient in bygone
 9 July 1726. missive dues and to produce his accounts.
 Missive dues.

12 July 1726.

Instructions to 15. The committee appointed to draw up instructions to be given to the
 committee on committee appointed by the 11th act gave in the same which were ap-
 fisherys and proved of.
 manufactures.
 Heads of 16. Appointed certain articles to be continued heads of next missive.
 missive.
 St Andrews. 17. Delayed consideration of a report as to St Andrews.
 Culross, Crail. 18. Remitted to the committee on the missive articles anent visits to the
 burghs of Culross and Crail.
 Linen cloth. 19. Remitted to a committee to bring in draught of an act anent linen
 cloth.
 Herrings. 20. Remitted to a committee the article on the missive "anent the selling
 of herrings by mett."
 Tax roll. 21. Resolved that the tax roll should be altered and appointed a committee
 to apportion the same.
 Agent's 22. Appointed a committee to consider the agent's accounts.
 accounts.
 Major Car- 23. Major John Carmichaell of the honourable Collonell William
 michaelis Stenhop's regiment of dragouns presented to the convention a manuscript
 manuscript dedicat to the right honourable George Drummond, esq., lord provost of
 anent linnen Edinburgh, president, and the rest of the commissioners of the royal
 manufactures. burrows of Scotland mett in the convention of burrows held at Edinburgh
 the 5th of July 1726, intituled Ane essay on the reasons of the slow pro-
 gress of the Scots linnen manufacture compared with that of the Irish,
 together with the most probable means to carry on the former with
 success; and the convention being fully informed that the same will be
 of great use to the committee to be appointed to sitt after dissolving this
 convention to consider the trade of fishing and other manufactures of this
 part of the nation, they remitted the same to the said committee and
 appointed the lord provost of Edinburgh, their preses, in their name, to
 give the said Major John Carmichaell their hearty thanks for the great
 trouble and pains he had been att in collecting and composeing the same,
 which was done accordingly; and the convention recommended to each

of the royal burrows to present him with the freedom of their burgh for the good services thereby done to his country, and appoints the several burges tickats to be transmitted to the clerks of the royal burrows to be by them delivered to the said Major John Carmichael.

EDINBURGH.
12 July 1726.
Major Carmichael's
manuscript
anent linen
manufactures.

14 July 1726.

24. The committee appointed to consider the agent's accounts from 1 July 1725 to 1 July 1726 reported that he charged himself with £2192, 8s. 6d. Scots as balance of last account and with £8000 of missive dues, and that he discharged himself with £10,986, 15s. 4d., leaving a balance due by him of £794, 6s. 10d.

Agent's
accounts
approven.

25. The committee reported that what the agent had received from the burghs of barony and regality with the balance on last account amounted to £3677, 5s. 1d. Scots, and that he had made payment to the receiver of £3356, 15s. leaving due by him £320, 10s. 1d. Scots. The following are the sums received from the burghs of barony and regality:—Link Town of Kirkaldie, £54; Allaway, £84 and £191; Stonehyve, £203, 16s.; Kilmarnock, £108; Frazerburgh, £400; Weemys, £200 and £100; Frazerburgh, £100; Leven, £225, 18s.; Dunniekeir, £45, 14s. and £36; Borrowstounness, £587, 11s. 10d.; Prestonpans, £315; Eli, £219, 4s. 6d.; Cockeny, £377, 0s. 10d.

Agent's ac-
counts of
unfree trade

26. Appointed a committee to meet with "the society for improvements and agriculture" and with John Drummond, esquire, and to deliver to them copies of his Majesties letter contained in the 6th act and of the instructions contained in the 15th act, and to desire their advice and assistance in the subject.

Anent im-
provements of
the manu-
factures.

27. Remitted to the annual committee petition from the inhabitants of Crawforddyke anent their proportion in the communication of trade with Greenock.

Crawforddyke.

28. The committee appointed to proportion the tax roll of the royal burrows gave in their report as follows:—

Report anent
tax roll.

The committee are unanimously of opinion that the tax roll should be proportioned among the royal burrows for what term of years the convention shall determine in manner following:

	Proportions of Tax Roll.	Proportions of £2.*		Proportions of Tax Roll.	Proportions of £2.
Edinburgh .	£36 0 0	...	St Andrews .	0 7 0	£2 9 7
Pearth .	3 8 0	...	Glasgow .	18 10 0	...
Dundie .	4 10 0	31 17 6	Air .	0 15 0	6 7 6
Aberdeen .	6 19 0	...	Haddingtoun .	1 8 0	8 10 0
Stirling .	1 8 0	9 18 4	Disert .	0 3 0	1 1 3
Linlithgow .	1 3 0	8 2 11	Kirkaldie .	1 0 0	9 4 2

* In this column are "the sums which the underwritten burroughs are to pay for each moneths cess payable by the royal burrows on account of the two pounds of the tax roll mentioned on the other syde."

EDINBURGH. 14 July 1726.		Proportions of Tax Roll.	Proportions of £2.		Proportions of Tax Roll.	Proportions of £2.
Report anent tax roll.	Montrose . . .	2 4 0	15 11 8	Ruthglen . . .	0 4 0	1 15 5
	Coupar . . .	0 10 0	3 10 10	North Berwick . .	0 1 0	0 7 1
	Anstruther Easter	0 5 0	1 15 5	Cullen . . .	0 2 0	0 14 0
	Dumfreise . . .	2 0 0	14 3 4	Lauder . . .	0 5 0	1 15 5
	Inverness . . .	1 11 0	13 9 2	Kilrenny . . .	0 2 0	0 14 2
	Burntisland . .	0 6 0	2 2 6	Annan . . .	0 2 0	0 14 2
	Innerkeithing . .	0 5 0	1 15 5	Lochmaben . . .	0 1 0	0 7 1
	Kinghorn . . .	0 7 0	2 9 7	Sanquhar . . .	0 1 0	0 7 1
	Brechin . . .	0 9 0	3 3 9	New Galloway . .	0 1 0	0 7 1
	Irving . . .	1 0 0	8 10 0	Dingwall . . .	0 2 0	0 14 2
	Jedburgh . . .	0 17 0	6 0 5	Dornock . . .	0 3 0	1 1 3
	Kirkudbright . .	0 6 0	2 2 6	Queensferry . .	0 5 0	2 2 6
	Wigtoun . . .	0 5 0	2 2 6	Fortrose . . .	0 7 0	2 2 6
	Pittenweem . . .	0 5 0	1 8 4	Kintoir . . .	0 1 0	0 7 1
	Dumfermling . .	0 15 0	6 0 5	Inverurie . . .	0 1 0	0 7 1
	Anstruther Wester	0 1 0	0 7 1	Inverarie . . .	0 1 0	0 7 1
	Selkirk . . .	0 9 0	3 10 10	Week . . .	0 2 0	1 1 3
	Dumbarton . . .	0 6 0	2 2 6	Kirkwall . . .	0 12 0	4 5 0
	Ranfrew . . .	0 5 0	2 2 6	Bervie . . .	0 1 0	0 7 1
	Dumbar . . .	1 0 0	2 16 8	Stranraer . . .	0 3 0	1 1 3
	Lanerk . . .	0 10 0	4 5 0	Campbeltoun . .	0 2 0	0 14 2
	Aberbrothock . .	0 10 0	3 10 10			
	Elgine . . .	0 17 0	7 1 8		96 0 0	
	Peebles . . .	0 8 0	3 3 9	Agent, for unfree traders . . .	2 0 0	...
	Craill . . .	0 9 0	2 16 8	And by the burghs par- ticularly men- tioned on the other side . .	2 0 0	...
	Tain . . .	0 3 0	1 8 4	Unfree trade . .	...	12 12 6
	Culross . . .	0 2 0	1 1 3			
	Banf . . .	0 6 0	2 2 6			
	Whithorn . . .	0 2 0	0 7 1			
	Forfar . . .	0 4 0	2 2 6			
	Rothsay . . .	0 4 0	1 8 4			
	Nairne . . .	0 3 0	1 1 3			
	Forres . . .	0 6 0	2 9 7			
					£100 0 0	£240 0 0

The convention (Aberdeen, Dunbar and Haddington dissenting) approved of the report and appointed the tax roll as now proportioned to be the rule for payment of cess and missive dues till July 1728.

Laws for right
making of
linnen cloath.

29. The convention considering that the execution of our good laws for the right makeing of linnen cloath has hitherto been too much neglected, to the great loss of this country in general and of the royal burrows in particular, the reproach and disgrace of all the abuses committed by the manufactories of linnen falling upon the merchants by whose intervention it is sold and exported to forreign parts, and by ane act of parliament anno 1693, intituled Act anent the right makeing and

measuring linnen cloath, the justices of the peace and other inferior ordinary judges are authorized and impowered to put that act and all acts thereby ratified to due execution, and if they fail the judges within burgh are authorized to put these laws in execution in landward outwith their burghs and priviledges thereof, and the judges who dwell in landward upon the neglect of the judges within burghs are authorized to execut these laws within the burgh, and their severall jurisdictions are thereby extended to that effect allennarly; its therefor statut and ordained that all the royal burrows where either linning cloath or linning yarn are brought to mercat doe putt the act of parliament 1693 above-mentioned to vigorous execution in all its parts excepting what concerns the length of the peices of cloath which are to be regulated by ane act 1^{mo} Anne Regine, intituled Ane act to prevent abuses in makeing of linning cloath, and by ane other act 12^{mo} Anne Regine, intituled Ane act to explain and make more effectuell ane act past in the tenth year of her Majesty's reign, &c.; and appoints the respective royall burrows to report their dilligence herein to the next annual convention and this to be ane head of the next missive, and appointed the clerks to cause print this act and transmitt coppys thereof to the haill royal burrows.

EDINBURGH.
14 July 1726.
Laws for right
making of
linnen cloath.

30. The committee appointed to bring in the draught of ane answer to the letter from the magistrats of Campheer presented the [following which was approved of and ordered to be transmitted:—] Right Honourable,—We have the honour to acknowledge the receipt of your letter acquainting us with a report which has been spread by some merchants at Rotterdam and other places as if their high mightinesses the states generall of the united provinces had forbid the importation of staple goods to the port of Campheer, and at the same time wee have the pleasure to understand by yours that this report is not only altogether groundless but that their high mightinesses have by a late resolution been pleased to confirm the staple more than formerly they could be induced to doe. As it is from your honours we have the first accompts of such a report being spread wee altogether rest upon your assurances that the same is false, and wee on our part are resolved inviolably to mentain the staple contract in all its points, and for that end we will recommend to our several traders a due observance thereof. The

Answer to the
magistrats of
Campheers
letter.

EDINBURGH.
14 July 1726.

Answer to the
magistrats of
Campheers
letter.

instances yow mention of the three ships which have lately discharged their cargos at Campheer and the treatment they have mett with will we hope altogether discredit that report and effectually defeat any desigus that may have been formed to divert from the staple port and wee shall be ready to prosecut such of our traders as yow shall inform are habituall transgressors of the staple port. We recommend you to the divine protection and wee are, [etc.]. Edinburgh 14 July 1726.

Act anent fresh
herrings.

31. The convention statut and ordain that for hereafter in all the burrows of this kingdom fresh herrings shall be bought and sold by mett and not by tale, viz., in the north and west by the measure called the barrel containing sixty sex pints and in the Firth of Forth by the measure called the mett containing fourty two pints; and to the end that this act may be more particularly observed that the magistrats of burrows doe fyne each contraveener in half a crown for each transgression; and the convention recommend to the magistrats of the respective burrows not only to execut the same within their own bounds but to use their utmost endeavours to bring unfree traders in contiguous places to the uniform use of what is hereby enjoyned, and to publish this act twice in the year at such time as shall seem to them most convenient that none may pretend ignorance, and put the same in due execution under the penalty of one hundred pounds Scots.

Tax roll.

32. The commissioners for Dunbar and Aberdeen gave in reasons of protest against the alteration of the tax roll and it was remitted to a committee "to enquire into precedents how far it is usuall to allow the same to be recorded in the burrow book."

St Andrews.

33. Allowed to the burgh of St Andrews £25 sterling "to assist them in repairing their harbour and other public works."

Culross.

34. Appointed the agent to pay to the burgh of Culross £8 sterling "to be bestowed in repairing their harbour," and remitted to the annual committee "to adjust the differences betwixt the burgh and Collonel Erskin."

Montrose to
pursue unfree
traders.

35. Granted warrant to the burgh of Montrose "to pursue the unfree traders in the county of Mearns and Angus upon their own charges and apply the fynes and forfaultures that shall be recovered from them to the use of the burgh except as to the unfree traders in Coupar of Angus, Kirriemuir and Glamis" till July 1728.

36. Granted warrant to the burgh of Dundee to pursue the unfree traders in Coupar of Angus, Kirriemuir and Glames and to apply what shall be recovered for their relief till July 1728. EDINBURGH.
14 July 1728.
Dundee to
pursue unfree
traders.
Coupar.
37. Granted warrant to the burgh of Coupar to set in tack or feu their muir and meadow at the sight of the commissioners of St Andrews or Kirkaldie. Bamf.
38. Appointed a committee to visit the burgh of Bamf and report the condition thereof and of their common good, trade and harbour, to next convention. Bamf.
39. Approved of the burgh of Annan setting in feu 160 acres of their common muir and granted warrant to them to feu the other acres of the muir at the sight of the commissioners of Dumfreis and Lochmaben. Annan.
40. Granted warrant to the burgh of Lochmaben to feu such parts of their muir as they shall think fit at the sight of the burghs of Dumfreis, Annan and Sanquhar. Lochmaben.
41. Remitted to the annual committee, petition of Dumbartoun craveing the concurrence of the convention for preserving the property of their muir and to authorize them to set the same by publick roup. Dumbartoun.
42. Appointed a committee to visit Stranraer and report its condition to next convention. Stranraer.
43. Granted warrant to the burgh of Dumfreis to set their common in feu or long tack, at the sight of the burghs of Sanquhar, Annan or Lochmaben; and remitted to the annual committee petition from Dumfreis "craveing the conventions advice anent the contract made with several tradesmen for building of their kirk."
44. Appointed a committee to visit Peebles and report the condition of the burgh to next convention. Peebles.
45. Having heard petition of the burgh of Aberbrothock "anent the collection for their harbour, they recommend to the ministers of the severall royal burrows where such collections have not yet been made to intimat from the pulpit the said charitable contribution that the same may be collected." Aberbrothock.
46. Having heard petitions from the burghs of Sterling, Dunbar, Elgine, New Gallaway, Sanquhar, Forres, Wigtoun, Wick and Kirkwall, the agent was authorised to assign to these burghs the unfree trade within their several bounds with power to apply what shall be recovered for their use till July 1728. Unfree trade.
47. Remitted to the annual committee petitions from Borrowstounness and Cockeny anent their communication of trade. Borrowstoun-
ness, Cockeny.
48. Remitted to annual committee petition craving ratification of a heritable bond by the burgh of Pittenweem to James Leslie for £3200 Scots. Pittenweem.
49. Appointed the articles as to the burghs of Craill and Fortrose to be continued as articles of next missive. Craill, Fort-
rose.
50. Remitted to the annual committee consideration of a petition from the receiver general anent the sums due for the unfree traders. Petition for
receiver
generall.

EDINBURGH.
14 July 1726.

Annual com-
mittee.
Salaries and
gratuities.
Clerks.
Sanquhar.
Convention
adjourned.

51. Annual committee appointed.
 52. Appointed the agent to pay certain salaries and gratuities.
 53. Remitted to the annual committee to consider the extraordinary trouble of the clerks.
 54. Appointed a committee to visit Sanquhar and enquire into the common good and condition of the burgh and report.
- Adjourned till the first Wednesday of November next.

MEETING OF ANNUAL COMMITTEE *held at* EDINBURGH.

15 July 1726.

Preses.

His Majesties
letter.

Assignations to
unfree trade.

1. George Drummond, lord provost of Edinburgh, elected preses.
2. Appointed a subcommittee to consider his Majestys letter and the matters therein recommended and to "prepare and devise a plan or method for the application of the moneys provyded for the encouragement of fisherys and manufactorys and lay the same before the committee at their next meeting, and for that end to receive all such proposalls as shall be offered to them by any societys or persons relative thereto."
3. Appointed the agent to extend particular assignations of the unfree trade to such of the burghs as the convention have granted the same.

MEETINGS OF SUB-COMMITTEE *held at* EDINBURGH.

18 July 1726.

Sederunt.

Edinburgh, Archibald M'Aulay ; St Andrews, Patrick Lindsay ; Inverness, William M'Clean ; Dunbartoun, Mr George Smollet ; Rothesay, Mr Patrick Campbell ; North Berwick, Mr Hugh Dalrymple ; Sanquhar, George Irving ; Campbletoun, Mr Alexander Frazer.

Preses.

Regulations
agreed to by
the committee
for dispatch of
their affairs.

1. Elected George Drummond, lord provost of Edinburgh, preses.
2. The subcommittee agreed to the following regulations for dispatch of the affair committed to them viz. :—
That there be two stationary hours of their meeting, viz., at three a cloak on Tuesday and three a cloak on Friday, weekly.
That there be a publick advertisement notifying that the subcommittee meets at those hours every week and their clerk will attend dayly (except Saturday and Sunday) from twelve to one in the burrow rounge

or toun councill chamber of Edinburgh to receive in writeing what proposalls or memorialls are intended for the committee and that any person who will please converse with the committee on the subject matter of their deputation shall be attended every Tuesday and Friday at the hours abovementioned by the committee.

EDINBURGH.
18 July 1726.
Regulations
agreed to by
the committee
for dispatch of
their affairs.

That the burghs of Rothesay, Stranraer and Campbleton, or any one of them, doe collect together the heads of the laws now standing concerning the linnen and hemp manufacture, with a note of such alterations, additions and amendments, as seem necessary and to be wisht for on that head. That the burghs of Edinburgh and Sanquhar doe bring together under distinct and clear heads what's done already as the laws now stand and what's further wisht for and proposed by the coasting people on that head of fishing in deep waters and for encouraging the searchers for the herring droves.

That the burghs of St Andrews, Stranraer and Campbleton, doe enquire into the institution, powers and methods of manadgement of the trustees of the linnen manufactures of Ireland, subjoining what may be necessary to adapt that case to this country.

That the clerks doe enter into a particular record Major Carmichael's essay and what other proposalls shall be laid before the committee by different hands to prevent their being mislaid, and that the committee or any succeeding convention may have ready access to inspect what may be offered for the improvement of the linnen or other manufactures.

26 July 1726.

Edinburgh, Archibald M'Aulay and David M'Clellan; St Andrews, Patrick Lindsay; Stranraer, Mr Hugh Dalrymple, junior; Dumbarton, Rothesay, North Berwick and Campbleton, same representatives as at last sederunt.

1. George Drummond, lord provost of Edinburgh, elected preses.

Preses.

2. There was presented by a committee of the society of agriculture severall proposalls for the improvement of the fisherys and other manufactures in Scotland, which being read in presence of the subcommittee they appoint the same to be recorded in the particular register kept for that purpose and a copy thereof sent to each royal burrow.

Proposalls
received.

10 October 1726.

EDINBURGH.
10 October
1726.
Sederent.
Preses.

Edinburgh, Duncan Campbell ; St Andrews, Patrick Lindsay ; Annan, Mr Charles Erskine ; Inverary, James Nimmo ; Rothesay, Sanquhar, Stranraer, and Campbleton, same as last two sederunts.

1. Geore Drummond, lord provost of Edinburgh, elected preses.

Proposalls for
improvement
of manu-
factures.

2. The subcommittee having heard a letter from the right honourable the Earle of Loudon, in name of the justices and freeholders of the shyre of Air, as also observations from the justices of peace of the shyres of Fyfe, Kincardine and Pearth, and several other memorials anent the improvement of the linnen and other manufactures of Scotland, they appoint the same to be insert in the particular record appointed for that purpose.

Annual com-
mittee to meet.

3. The subcommittee appoint their clerks to wryte to the hail members of the annual committee to meet upon Tuesday the first of November next to consider what proposalls have offerd and that they may proceed to make and devise the plan or scheme appointed by the convention to be prepared by the committee.

ADJOURNED GENERAL CONVENTION, *held at* EDINBURGH.

2 November 1726.

EDINBURGH.
2 November
1726.
Selkirk and
Lochmaben.
Report of com-
mittee
appointed to
consider his
Majesties
letter.

55. The convention having met according to adjournment made on 14 July the commissioners of Selkirk and Lochmaben qualified themselves by taking the oaths.

56. The committee appointed by the convention to consider his Majesty's most gracious letter and to prepare a plan or method how the money provided for the encouragment of the fishery and manufacturys may be employed to the best advantage for the general benefit of the nation, reported that they having taken the same to their consideration and finding that it would take up more time than such a numerous committee could well attend, they therefor subcommitted the same to thirteen of their own number to take the state of the manufacturys and fishing into their consideration and to hear everything that might be proposed

relative thereto and to prepare the draught of a plan thereanent, and they having mett with the society for improvement and agriculture, and having heard many memorialls, observations, letters and proposalls from the shyres, burrows and privat persons thereanent, made some considerable progress therein, and the committee being again mett and having heard a signed memorial presented to them by several gentlemen in name of the wool masters, as also a memoriall signed by several noblemen and gentlemen of the shyre of Gallaway; and the saids memorialls having been considered and a subcommittee appointed to meet with the saids gentlemen they appointed the following plan or method to be transmitted to the general convention in order to be laid before his Majesty, as also agreed to a particular paragraff in relation to the wool which should be insert in the scheme to be subjoined to the said plan, and its humbly proposed the convention may appoint a committee for makeing out the said scheme or distribution of the funds to be applied to the several purposes mentioned in the plan.

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Report of
committee
appointed to
consider his
Majesties
letter.

57. The convention having heard the plan transmitted to them by the committee read in their presence and the same being again appointed to be read in particular paragraffs, and that paragraff anent the appointing of trustees for distributing the funds destined for the particular purposes mentioned in the plan, after much reasoning thereon they delayed the further consideration thereof untill the other parts of the report should be considered; as also the convention having considered that part of the report where the surplusage of the duty on malt was to be employed and destributed and it having been proposed that the said duty of malt should be there mentioned as anes unsupportable burden and grivance to this part of the nation, and it having been on the other hand alleadged that this was not a propper occasion when we were proposeing to have the surplus applied for the intrest and advantage of the nation to mention the same in those terms; and the vote being stated whether it was expedient at this time to add a clause expressing the malt tax as a grivance or not, it was carried in the negative by a verry great majority, whereupon the commissioner for Hadingtoun desired his dissent might be marked, and thereupon took instruments to whom the commissioner for Dumbar adhered.

Resolution
anent a clause
relating to the
duty on malt.

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Plan of distri-
bution of
public funds.
Inhabitants of
Innerkeithing
to be
summoned.

Reasons of
dissent by com-
missioner of
Haddington.

58. Appointed a committee "to make a particular distribution of the funds to be applied to the several purposes mentioned in the report."

59. Having heard a petition from the provost and other magistrates of the burgh of Innerkeithing, complaining of a factious and seditious proceeding of certain residenters in and about the town against the last election of magistrates, the convention appointed those residenters to be summoned to appear before the annuall committee in November next.

60. The commissioner for Haddington gave in [the following reasons of dissent from the 57th act :—]

(1.) That since every member of the convention so far as he could observe seems to agree in opinion that this part of the kingdom is utterly unable to bear that tax, and that he, and as he believes almost all Scotland, doe apprehend that the continuance of this tax must end in the absolute ruine of this countrey, he conceives it is the duty of every Scotsman who wishes well to his Majesty's government, especially when a publick trust such as that of a representative of a royal burrow necessarily leads them to mention the malt tax in any representation to his Majesty concerning the improvement of this part of the country, not to neglect that opportunity of humbly laying before his Majesty the melancholy condition of this part of his kingdom with regaurd to the consequences of that tax.

(2.) That he humbly apprehends that the making any representation to the crown concerning the application of the superplus of that duty, when it is evident that the proposalls are intended as a scheme for after years as well as for the duty already laid on, without takeing notice of the inability of the country to pay that tax, may reasonably be constructed as ane acknowledgement that they are able to bear it provydeing the superplus over and above the £20,000 be applied in such a manner.

(3.) That the schem of the proposalls so far as he can at all judge from the first reading seems strongly to imply such ane acknowledgment if not explained by such a representation as he proposed, for that tho the advanceing of the fishing trade is one of the improvements that Scotland ought to have most at heart and from which the greatest benefit might arise to the United Kingdom, yet by this scheme no encouragment

is proposed for carrying on that trade but what must arise from the superplus of the malt duty which seems to imply in the strongest manner an acquiescence of the ability of this country to pay it otherways the encouragment of so valuable a branch of trade would not be left entirely depending upon that fund.

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dissent by com-
missioner of
Hadingtoun.

(4.) That it appears to him the objections against making such a representation at present are absolutely insufficient. (1) For that he apprehends that it is so far from being disrespectfull to his Majesty, at the same time that they are offering their humblest thanks for his Majestys great goodness in giving directions towards the forwarding the due application of the funds by law appropriated for encouraging the trade of this part of the kingdom, to lay before his Majesty the low condition of the country with regard to the bearing the burden of one of these very funds, that it seems to be their duty and the strongest mark of their sincere affection to the interest of his Majesty's government freely and humbly to submit to his Majestys consideration as their common father the consequences that may arise from that duty being. (2) For that it would be a reflection upon the goodness and royal Majesty to imagine that his Majesty would either be provoked or displeased with any of his subjects their representing in a humble manner any thing which by experience they feel to be really grievous and what they are not able to support. (3) That it is no ways inconsistent and disagreeable with an absolute and submissive obedience to the laws in force humbly to represent the bad consequences of continuing any of those laws in time coming but is rather the duty of his Majestys faithful subjects to lay such particulars before him for his royal information, still with that due submission that is owing to his Majestys royal judgment and the judgment of the other branches of the legislative power.

61. The other paragraphs contained in the plan were all again read in the convention. Plan read over.

62. The convention having heard a particular article in relation to the course wool agreed upon by the committee, they ordain the same to be insert in the schem of distribution of the funds to be subjoined to the plan and remitt the same to the committee for making out the said schem to be insert accordingly. Clause anent
coarse wool.

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3 November 1726.

Commission in
favours of
Archibald
M'Aulay to be
conservator.

63. Archibald M'Aulay, late dean of guild of Edinburgh, having presented his Majestys commission in his favour as conservator of the Scots priviledges in the Netherlands the convention remitted to a committee "to search precedents and consider what may be necessary to be done thereanent."

Report anent
dissent by
Hadingtoun.

64. The committee appointed to draw up answers to the reasons of dissent given in by the commissioner for Hadingtoun reported that they were humbly of oppinion that it was derogatory to the honour of the convention, who were fully satisfied with the reasons that induced them to come to the resolution dissented from, to give any answer thereto, which the convention agreed to.

Edinburgh.

65. Remitted to the annual committee act of the town council of Edinburgh anent the setting of tacks and feus of their lands which the commissioner for Edinburgh desired to be ratified.

Report of
committee
anent scheme
for distribu-
tion.

66. Remitted to the annual committee "report of the committee appointed to bring in a schem for distribution of the funds to the several purposes designed to be encouraged."

4 November 1726.

Commission to
Archibald
M'Aulay to be
conservator.

67. The committee appointed to consider the commission granted by his Majesty to Archibald M'Aulay of Edinburgh, esquire, to the office of conservator of the priviledges of the royal burrows of Scotland at Camphere or in any other place in Zeland or the United Provinces, reported that they, having considered the said commission and enquired into precedents in such caises as contained in the records of the convention, were of opinion that the forsaid commission should be admitted and received under protestation, that it should not be prejudicial to any right which the convention has to nominat and appoint a conservator of their said priviledges, and that the convention should likewise appoint the said Archibald M'Aulay to be conservator of their said priviledges, and grant to him all the dutys, fees and emoluments due to the said office, as the deceast Andrew Kennedy, late conservator, held and enjoyed the same from the royal burrows; with the same power and authority which was granted to the said Andrew Kennedy, and that the said Archibald

M'Aulay should be taken bound and oblidge to execut, perform, and give obedience to all the orders, rules and directions, made or to be made by the convention touching the said office in the same manner as the said Andrew Kennedy was bound and obliged. [The convention approved of the report and admitted and appointed the new conservator on the terms recommended.]

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Commission to
Archibald
M'Aulay to be
conservator.

68. Appointed the agent to pay Archibald M'Aulay, conservator, £100 sterling for defraying his charges to Camphere.

Conservator's
charges to
Camphere,
Dysert.

69. On the petition of two late bailies of Dysert, shewing that the burgh has at present no magistrates and council, the convention appointed four of the burgesses to roup the common good, receive the tack duties and proportion the cess among the inhabitants.

70. On a complaint as to a dispute in the election of a deacon and box master of the incorporation of hammermen of Perth the convention appointed the parties complained against to appear before the annual committee on 15th November to submit the affair to the committee, and in case of their refusal appointed the agent to assist the petitioners in any process against them.

Hammermen
of Perth.

7 November 1726.

80.* Sustained the excuse of the burgh of Ruglen for their commissioner's non-attendance at this convention.

Ruglen
excused.

90.* Remitted to the annual committee to adapt the particular scheme for distributing funds to the general plan.

Scheme of dis-
tribution.

8 November 1726,

91. None of the persons appointed, by the 59th act, to be cited having appeared, the convention appointed the agent to concur in defending the provost and magistrates of Innerkeithing in any process against them in the matter of their elections.

Election in
Innerkeithing.

92. The 46th act of convention dated 14th July 1726 "not being so particular as necessar" the convention declared it was their intention that the burgh of Stirling "should be assigned to the burghs of barrony and regality and other unfree traders who have not accepted of the communication of trade within the shyres of Stirling and Clackmannan."

Stirling, unfree
trade.

93. The convention having heard the general plan to be laid before his Majesty with the particular distribution of the funds to the purposes

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* By what appears to be a clerical error these acts and the subsequent ones are numbered in the original record as printed.

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mentioned in the said plan as the same was adjusted by the committee, they approved thereof by a verry great majority, the tenor whereof follows :—May it please your Majesty,—In obedience to your Majesty's most gracious letter of the 7th of June last we have taken into consideration the state of the fisherys and manufactures in this part of your Majesty's United Kingdom and of the several sumes of money provided for encouraging the same, and doe most humbly lay before your Majesty the state thereof, together with what appears to us the most propper method for encouraging and promoting them for the general good of the United Kingdom.

By the 15th article of the treaty of Union it is provyded that £2000 per annum for the space of seven years shall be applyed towards the encouraging and promoting the manufacture of coarse wool within those shyres which produce the wool, and that the first £2000 sterling be payed at Martimas then next, and so yearly at Martimas dureing the space aforesaid, and afterwards the same shall be wholly applyed towards the encouraging and promoting the fisheries and such other manufactures and improvements in Scotland as may most conduce to the general good of the United Kingdom. By ane act of the 6th of the Queen, intituled Ane act for the further directing the payment of the equivalent money, it is enacted that the judges of the court of exchequer in Scotland shall have full power and authority upon such information or advice as to them shall seem most expedient to make such distribution of the said money yearly dureing the space aforesaid amongst those shyres that produce the said coarse wool in such districts or divisions as they shall think fitt and in such proportions as to them shall seem most equitable, with power likewise to name and appoint certain persons or more for each district or division to receive such part of the said £2000 yearly as shall have been by them allowed and appropriated to such district or division, whose receipt or discharge shall be sufficient warrant for the commissioners of equivalent to pay the same; with further power likewise to the said judges of the court of exchequer to establish such rules and orders for disposing of the money soe received in such manner as they shall think will best answer the ends and design for which the same is granted by the said treaty of Union, and to appoint persons in every district or division to oversee and direct the disposal of the said moneys and to be accomptable to them for their

administration. By ane act of the 3rd of your Majesties reign, intituled Ane act to continue ane act of the first of your Majesties reign, intituled Ane act for taking and stating the debts due and growing due to Scotland by way of equivalent in the terms of the Union, &c., it is provyded that the commissioners of equivalent for Scotland for the time being shall secure and retain in their hands the above sum of £14,000 sterling appointed by the said 15th article of the Union for the encouragement of the manufacture of coarse wool in such shires as the same was or should be produced, which said sum of £14,000 and every part thereof shall be applied for the benefit of the said manufacture and the wool masters and to no other use or purpose whatsoever. This sum of £14,000 has never been applied to the uses before mentioned, principally because no particular plan or method hath been concerted directing the manner in which these sumes should be applied for the said purposes, but remains in the hands of the equivalent corporation without interest, they having given security to the barons of exchequer in Scotland to repay the same when called for. By ane act of the 5th of your Majesties reign, intituled Ane act for settleing certain yearly funds payable out of the revenue of Scotland to satisfy public debts in Scotland and other uses mentioned in the treaty of Union and to discharge the equivalents claimed in behalf of Scotland in terms of the same treaty, it is further provyded that the sum of £2000 sterling per annum shall be a yearly fund redeemable by parliament and that the same shall be wholly applied towards the encouraging and promoting the fisheries and such other manufactures and improvements in Scotland as may most conduce to the general good of the United Kingdom. This yearly fund of £2000 per annum is declared to commence from the 24th June 1719 and to be thenceforth paid quarterly untill the redemption thereof, and the commissioners of your Majestys treasury are by the the said act impowered and strictly enjoyned and required to issue their warrants and orders for making payment thereof; but as no part thereof has been yet applied, there being no rules or methods as yet established for issueing them, there is £14,000 become due to Scotland on that account on the 24th June last and there is also growing due £2000 annually in time coming. By ane act of the 12th year of your Majesties reign, intituled Ane act for continuing the

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dutys on malt, mum, cyder and perry in that part of Britain called Scotland for the service of the year 1726, &c., it is provyded that if the rate of 3d per bushel on malt made in Scotland, shall produce a greater sum than the sum of £20,000 clear of all charge of management, the surplusage so produced over and above the said clear sum of £20,000 shall be wholly applied towards the encouraging and promoting the fisheries and such other manufactures and improvements in Scotland as may most conduce to the general good of the United Kingdom, and to none other use, intent or purpose whatsomever, in such manner as shall be hereafter settled and directed by parliament.

After mature consideration of the state of the manufactures of Scotland we are most humbly of oppinion that the linnen manufacture and the fishery, especially of herrings, are two of the branches of our trade and manufacture which may be promoted with the greatest advantage to this country at the least expence and may conduce the most to the general good of the United Kingdom. The linnen manufacture is no new thing amongst us tho at present it lyes under verry great discouragements; and tho we never hitherto have arrived at any degree of perfection in the herring fishing, because the poverty of the country was a hinderance to the making successfull experiments in fishing herrings in deep waters, yet as the herrings which supply the mercats of almost all Europe are caught upon our coasts we have certainly advantages by our situation which promise stuccess if due encouragement is given at the beginning to the undertaking. In respect to the linnen the encouragements we have to attempt the promoteing it are that the country was lately pretty much in possession of that manufacture and that it is still carryed on tho under great discouragements and therefor unsuccessfully, that the soil in many places of the country is fitt for producing very good flax and hemp in sufficient quantities to answer all the manufacturers demands tho the people have not fallen into the propper method of culture for produceing those commodities to the best advantage; and that the people generally show a propensity to the carrying on of this manufacture as there is a tollerable store of spinners and weavers who easily may be improved into good artists. The chief causes of the decay of this manufacture which once flourished amongst us were (1.) That we had not a sufficient sys-

tem of laws and regulations directing the manner of carrying on the manu-
 facture to the best advantage and preventing the frauds and abuses which
 privat persons run into for the sake of immediat gain, to the discredit
 and ruine of the whole undertakeing. (2.) That no care at all was taken
 of the execution of the few regulations which we had soe that undertakers
 of all kinds wrought as they thought fitt, the yarn was ill sorted and the
 weaver wrought unequally, makeing some parts of the same web coarse
 when others were fine, some parts thick when others were thin, whereby
 the whole manufacture fell justly into discredit, no forreigner could safely
 deall by commission, the decrease in the demand lowered the price and
 affected every branch of the manufacture so that at last the trade was
 reduced to the languishing condition in which it att present lyes. (3.)
 That the soil however propper for produceing flax and hemp was not skill-
 fully prepared and cultivated, in so much that the quantities of lint seed
 and hemp seed was annually sown by individualls up and down the
 country yet it never became a business in which the farmers deal for gain
 and consequently the flax and hemp which was the subject of the manu-
 facture was mostly imported from beyond seas, soe that besides the loss
 of money to the nation in paying to forreigners for flax and hemp tenfold
 the price of lint seed and hemp seed the price of the flax and hemp con-
 tinued higher than otherways it would have been, to the discouragement
 of the poorer sort of manufactures. And, lastly, the whitening of cloath
 to any degree of perfection is not at all understood in the country and as
 this is the most important branch of the trade it is absolutely necessary
 to get it introduced.

These inconveniencys we humbly propose to remove by the following
 expedients. (1) That such laws and regulations be enacted for directing
 the several steps of this manufacture as may best prevent the frauds and
 abuses that are committed by the manufacturers, of which laws we humbly
 presume to annex the heads. (2) By appointing a sufficient number of
 propper officers with reasonable sallarys to look to the execution of those
 laws, and particularly by appointing a certain number of lappers whose
 business it shall be in their several districts to take care that every branch
 of the law is complied with, to survey, examine and stamp with a propper
 mark or seal, every peice of cloath that shall be made for sale, and by

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security to be given at their entrance upon their office to indemnify every purchaser of any peice of cloaths stamped by them severally if the same upon examination shall appear to fall short of the regulations; by appointing rideing officers at a larger allowance who shall examine into and comptrole the conduct of the lappers over the country and by appointing a certain yearly fund for carrying on prosecutions against offenders who otherwise might escape with impunity. (3) By setting apart as large a sum of money as can be afforded annually to be divided in premiums amongst the land labourers at a certain fixed rate per acre for prepareing their grounds, sowing lint or hemp seed, and dressing their flax or hemp in such manner as shall be directed, and these premiums to be distributed equally in the several counties according to their several proportions of the land tax. And (4) by setting aside a certain sum to be divided annually in small premiums to the housewives who make the peice of best cloath of the several kinds and staples within the several districts. (5) By setting aside a certain sum for increasing the linnen manufacture and for bringing the same to greater perfection in the right sorting of the yarn and weaving of the cloath, to be destributed in premiums to such person or persons who shall constantly imploy 10 or more looms for their proper account under the direction and oversight of a skilled weaver. (6) By setting aside a certain sum for instructing the young children at charity schools already erected or which shall hereafter be erected* or at any other schools where there are not fewer than 30 children dureing the winter to spin flax or coarse wool for makeing their own cloaths, which will not only increase the number of spinners but also teach the young poor to spin in a proper manner. (7) By setting aside a small sum to be laid out for providing modellls of the best adapted workloom.

From such regulations as these properly established this country would certainly save nine tenth parts of the money annually remitted to forreign parts for flax and hemp at the same time that the quantity of flax and hemp would be increased, and all frauds and abuses in the manufacture being prevented the credit of our linnen must rise and with it the demand which of course would employ the poor and return money into the country as the price of their labour.

We have likewise taken into our consideration the state of our coarse wool manufactures and are under a very great concern to find ourselves obliged to report to your Majestie that the value of our coarse wool commonly called tarred wool is fallen in its value almost two thirds of what it was worth at the time of the Union, and this we apprehend is in a great measure owing to the omission of applying sums stipulated by the articles of Union to the improvement of the coarse wool manufacture at the same time that by law the exportation of the wool was prohibited. We have therefore taken the liberty to ingross as part of our plan for the distribution of the public funds hereto annexed a schem presented to us by the woolmasters for encouraging the spinning of the said coarse wool into yarn within the counties where the same is produced for encouraging the consumpt thereof which we doe most humbly submit to your Majesty.

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As to the fishery, particularly of herrings, what promises us success in it is our situation. The herrings run so near our shore that the fishery in deep waters is carryed on within sight of our coasts and the herrings frequently run up into our firths and lochs to spawn where our common fishermen, lazy and ignorant as they are, often catch them in great quantitys. And of this advantage in point of situation it is a certain consequence that if we fished as early and in the same manner as other people doe we could more speedily repack our herrings than those who have a troublesom navigation to goe thorow before they can arrive at their own country in order to repack and therefor might hope to be even earlier than they at the forreign mercat. But the inconveniencys which we lye under with respect to this trade are (1) That the coast fishing in our firths and lochs is of its own nature verry precarious, the herrings frequently diverting from their ordinary course or not being early enough discovered, soe that multitudes of adventurers in this trade have by disappointments been ruined, and the herrings in this manner caught are not so valuable at the mercats being observed to be in the decay before they seek the shallow water. (2) That it requires a considerable sum of money to sett out upon the undertaking, it being impossible to catch a barrell of herrings in deep water without the previous expence of building or buying a bush and equipping her with netts, stores and other tackle, which several years profit by the undertaking, allowing it to be reasonably

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successful, would hardly repay, and as this country has for many years laboured under a great decay of trade and scarcity of money and credit it is difficult to find undertakers unless they shall meet with some extraordinary encouragement. (3) That as we have no bushes provided with nets and other tackle and apparrell in readiness soe were we to build and prepare them the equipping a bush in any part of Great Britain would cost the undertaker 25 per cent more than in the neighbouring countrys because of the dutys upon the materialls at home and the advanced pryce of wages, so that forreigners can deall cheaper in the herring trade than we. And (4) that we have not a sufficient system of rules and regulations for securing the faithfullness of the cureing our herrings and for raising thereby their credit in forreign mercats.

These inconveniences we humbly propose to remove by the following expedients: (1) By giving so far as our fund will extend a sufficient encouragement for building, equipping, providing and maning properly bushes that shall goe to sea in the propper season and remain in stations to be described, so tackled and apparrelled, fishing for herrings to the end of the fishing season. That encouragement we propose should continue for a term of years because the fund will not allow ane adequat encouragement to be given in one year to such a number of bushes as will make the experiment compleatly, but by giving ane annual encouragement to endure for a term certain, tho' we cannot employ as many bushes as we would, yet we may engage so many in it as may discover to Great Britain the advantage of the undertaking. (2) By making the premium for equipping each individuall bush sufficient to answer the difference of the charge between equipping a bush in Britain and else where and proper in some measure to make satisfaction for the other inconveniencies. (3) By making it a condition of the undertakers being intituled to the premium that in the cure of the herrings he shall conform himself to such regulations as shall be proposed to him when he enters upon the undertaking. (4) By appointing a sufficient number of wreck masters inspectors and overseers of the fishery, with propper sallarys, for examining the fish when cured, rejecting what is insufficient and marking what is regularly cured. (5) By appointing certain small premiums to a few coasting boats to goe out to discover and give notice of the herrings when

they touch upon the coast, to the end the nation may have what gain it can even of that uncertain fishing.

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If rules to this effect be established we may rely on it to see the herring fishery in deep waters attempted. And though the narrowness of our funds will not allow the encouraging of so many bushes as can by their returns bring great gain to the nation, yet a small number may compleatly be encouraged and if their experience and success shall show that the trade is to be carried on with gain to the undertakers, as it is clearly of all others the most profitable to the nation, a door will be open for letting in the subjects of Great Britain to the enjoyment of what nature seems to have marked to be their own.

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At the same time we humbly think that the cod fishing deserves great regard and how soon soever the fund is or shall be so enlarged as to bear ane encouragement for that fishing we are most humbly of opinion that the trustees should be authorized to settle the propper and suitable encouragements and apply so much money thereto as the case shall seem to require.

These are the methods in general by which we humbly conceive those two branches of trade and manufacture may be the most effectually and the most properly set afoot and promoted, consideration being had of the narrowness of the funds ; but as we believe your Majestie may expect from us a particular plan or schem of the application of the moneys to the several purposes we with all duty and submission take the liberty to lay before your Majestie in a writing hereto annexed, and to which we humbly referr, such a particular plan or schem of the distribution of the funds as to us seems the most propper and meet for attaining your Majesties most gracious intentions. In that plan or scheme of distribution your Majesty will perceive we have rated and computed the yearly fund destined for improvements upon the foot of £6,000 sterling per annum and the computation we follow in making that estimat is that as there is ane annuity of £2,000 per annum granted by the act made in the 5th year of your Majestys reign, if £20,000 of the £28,000 due on account of the wool-money and of the arrears of the said annuity from the year 1719 are lent out at ane intrest of fyve per cent, ane annuity of £1,000 more will be added to the other £2,000, which makes out the sum of £3,000 a year,

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allocated by the particular plan of distribution to the encouragement of the linnen and hempen manufacture and coarse wool. And as to the other £3,000 intended for improvement of the fishing which must arise cheifly from the surplusage of the malt duty, your Majesty will be pleased to observe that we have mentioned a certain sum for ane uncertain as needs must be done in such cases, but as in this encouragement to the fitting out of bushes the premium must be continued for a term of years, and as there will remain after lending out the £20,000 at intrest a sum of £8,000 which may be made use of for making good the encouragement to the bush fishing, we have thought good humbly to propose to your Majesty to lay the plan for giving £3,000 a year for promoting the fishery for the term of three years, because the said £8,000 supplied by the surplus of the malt tax for this verry year will make good that encouragement to a certainty, and as further or other sumes of money intended for encouraging national improvements come in further schemes may be made for imploying them and the said £8,000 may be replaced and appropriated to other purposes.

It is this uncertainty of the amount of the surplusage of malt tax that has occasioned our omitting to propose a propper encouragement for establishing bleaching fields and introducing the manufacture of cambricks and other usefull products of flax and hemp amongst us, because the state of the fund allocated for improveing the fishery cannot allow a scheme to be framed upon it so far as occurs to us without makeing use of the before mentioned sum of £8,000; but if in time or by any expedient that may be thought of there should appear a sufficiency of fund for carrying on the fishery without the aid of the said £8,000 that sum in such event may be profitably imployed in setting up bleaching fields and in introducing the manufacture fo cambricks as well as other branches of the linnen and hempen manufactures.

If we shall be so happy as to meet with your Majesty's approbation of the particular proposition which we make for distributing the funds it will of course follow that the care of executing your Majesty's most gracious purpose be committed to propper persons who may be created trustees for distributing the moneys provided for the improvement of the fishery and of manufactures in Scotland. Tho ane unlimited power in

such trustees might in some circumstances and on certain occasions be attended with considerable advantage yet we humbly apprehend it will suit better with your Majesty's most gracious intentions and more effectually answer the wishes of your people and quiet their jealousies if particular rules and regulations are laid down for the conduct of those trustees soe that they shall not have power to issue any money at all but to such persons as shall be entitled to the same and in such manner as shall be chalked down by those rules and regulations under which they act. But as the adhereing constantly to the same rules which we now humbly offer to be established may be attended with very great inconveniencies if experience shall show that any part of our plan is unexpedient or might be varied to advantage, therefor we most humbly propose to your Majesty that it be made part of the plan or settlement for the application of the funds intended for public encouragements that the trustees be impowered yearly to reconsider the state of the subject committed to their care and to propose to your Majesty at the end of each year such alterations and new regulations for the improvement of trade and manufacture as they shall think proper, which alterations and new regulations when confirmed and authorized by your Majestie shall be of the same validity as the original establishment and alterable in the same manner.

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We are most humbly of oppinion that the having the honour and happiness to be subservient to your Majesties most gracious intentions for the good of your people is a sufficient reward for the gentlemen your Majesty shall think fitt to invest with the character of trustees for the forementioned purposes, and that the publick funds before mentioned should not be diverted from publick uses on accompt of sallarys or allowances to them ; but as they cannot execut their trust without ane office, clerks and proper servants, &c., the necessary charge they must be att on this account we with the greatest chearfullness humbly undertake to defray as a testimony of our sincere gratitude to your Majesty for the great regaurd yow have been graciously pleased to have for our welfare and prosperity.

We are extreemly sensible of our own inabilities to devise such a scheme for the due encouragement of our manufactures in their present

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low state as will fully answer the great ends proposed by your Majesty. Experience alone can fully instruct us in the propper way to bring those matters to perfection, and we humbly rely upon your Majesties goodness for giving such future directions to the trustees as from the execution of the trust reposed in them by your Majesty may hereafter appear necessary.

Your Majesty has thus putt into our own hands to prepare schemes for our future welfare. It is in obedience to your Majesty's express commands that we give our advice which we could hardly have presumed in ane humble petition to have asked leave to offer. The object of our wishes and ambition has become that of our duty. As these measures by your Majestys great condescension take their rise from us so the success of them will chiefly depend upon ourselves if we continue dutyfull and loyal to your Majesty, if our actions shall prove us to be truly sensible of the blessings of a protestant reign, if we show our love of liberty by supporting your goverment to which we owe it, and if we consider all disobedience to the laws of the land as destructive to the free enjoyment of our own proppertys, we shall soon see our trade flourish under your royal protection, the enemys of our happy constitution will despair of renewing any discontents amongst us and will look on with envy on our prosperity under your Majesty's government.

We are, may it please your Majesty, your Majesties most loyal most dutyfull and most obedient subjects and servants. The general convention of your royal burrows of Scotland. Edinburgh, 9th November 1726. Signed in their presence and by their appointment by (*Sic subscribitur*) GEO. DRUMMOND, Preses.

Particular plan
or scheme.

Particular plan or scheme for distributing and applying the monys provided for the encouragement of fisheries and manufactures in Scotland.

That a certain number of trustees be appointed who shall be vested with power to distribut the funds provided or that may be provided for promoting and encouraging the fishery and manufactures of Scotland, to have their office att Edinburgh.

That these trustees or their quorum be impowered to call for the said sum of £14,000 from the equivalent corporation and receive the same.

That the barons of your Majesties court of exchequer in Scotland be EDINBURGH.
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1726. impowered and directed to issue their precepts on the receiver general of your Majesties customes or the commissioners of your Majesties excise or General plan
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proven. on such persons in whose hands the same or any part thereof may be lying for such sum or sums as will compleat the aforesaid sum of £14,000 become due to Scotland on the 24th June last pursuant to the last mentioned act and quarterly in time comeing payable to the order of the said trustees or their quorum.

That the commissioners of your Majestys excise in Scotland be authorized and directed to pay over to the order of the said trustees or their quorum the surplusage that shall arise to Scotland over and above the neat sum of £20,000 on account of the duty on malt, clear of charges of management, pursuant to the said act of the 12th of your Majesties reign.

That the trustees be directed to indorse all such precepts as shall be issued by the barons of your Majesties court of exchequer payable to them to the receiver general of your Majesties crown rents and casualties in Scotland upon his giving security to issue all such sumes as he shall receive on their account upon their precept for the purposes after-mentioned without fee or reward and to accompt annually for his receipts and payments.

That the trustees be further directed to receive all such sums as shall become payable to them on any accompt whatever for improvement of trade and manufacture by the hands of the said receiver general of the crown rents and casualties.

That the trustees or their quorum be authorized and directed to lay out the said sum of £14,000 sterling now lying in the hands of the equivalent corporation together with £6,000 of the sum of £14,000 become due to Scotland on the 24th June last pursuant to the said act of the 5th year of your Majesties reign so as to answer the legal intrest upon sufficient real security or unquestioned personal security.

That the capital ariseing from the said two sums be preserved intire and that the intrest growing annually due therefrom together with the yearly fund of £2,000 per annum provided for improvements in Scotland by the said act and the surplusage of the duty on malt be employed and distributed in manner aftermentioned, vizt. :—

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(1.) That the trustees be impowered to authorize lappers within proper districts who shall have it for their business not only to inspect and stamp all linnen cloaths designed for sale but likewise to enquire into and so far as they can inform the trustees whether the several farmers contracting with the trustees have complied with the conditions they were bound to perform or no, and that a sum not exceeding ten pound per annum be allowed for sallarys to each of them which if 40 in number makes in whole 400 li.

That the said lappers beside the sallary aforesaid be intituled to a certain fee for stamping each peice of cloath by them stamped and be oblidge to give sufficient security before they are admitted to their office to make good the value of any cloath that shall be by them stamped and which shall be found to come short of the standart with double dammages and coasts of suits.

(2.) That the trustees be impowered to imploy £250 per annum for sallarys to two general surveyors who shall have power to examine into the execution of all regulations relating to this branch of manufacture in the several districts where lappers are established in the country.

(3.) That £1050 thereof be distributed at a rate not exceeding fyfteen shillings ane acre among the land labourers who shall prepare their ground and sow lint seed or hemp seed and dress their flax and hemp in the manner in which they shall by the trustees be directed.

That to give the more general satisfaction to the country the above sum be divided amongst the several countys according to the proportion they pay of the land tax and that the land labourers of every county complying with the conditions to be prescribed to them be preferred for the sum allotted for the county.

That if there shall be more claimants in any county than will exhaust the share of that county the preference between them to be determined by lott.

That the persons excluded by lott the first year, if they continue to claime, be preferred in the first place in the second years premium, and in like manner for the claimants of every successive year.

That where there shall not be a sufficient number of claimants to imploy the share that may fall to any county or countys the sum undis-

posed of throw non claiming be distribut among the over claimants in the other countys by lott as above.

That the day to be fixed for makeing the claimes be upon two moneths notice at least to be intimat publickly a moneth or sex weeks before it be propper to begin to prepare the ground.

That the trustees shall issue their precepts upon the said receiver general for payment of the said premium upon proof made that the undertakers have complyd with and performed the conditions to which they were bound.

(4.) That the trustees be impowered to imploy £100 per annum for carrying on prosecutions upon the complaint of their lappers or general surveyors against such persons as shall transgress against the regulations enacted or to be enacted in respect to the linnen manufacture.

(5.) That a sum not exceeding £160 be annually applied toward the increasing the manufacturing of linnen to be distributed in premiums to such person or persons who shall constantly imploy ten or more looms for weaving of linnen on their own account for sale under the oversight and inspection of a skilled weaver for instructing of people in that trade and under such other regulations as shall be directed by the trustees at a rate not exceeding 30 shillings for every loom soe to be imployed.

(6.) That a sum not exceeding £150 be applied for encouragement of younge children between the age of 8 and 14 to dress and spin flax and hemp and coarse wool at the charity schools and any other schools where there are upwards of 30 children dureing the winter, by such agreements and conditions as may be settled between the intendants of these charity schools, the heritors of the paroches who incline to have their younge instructed, and the trustees now to be appointed.

(7.) That a sum not exceeding £40 be annually applied for procureing of modells of the best adapted tools and work looms for the more easy and expeditious manner of dressing of flax, spinning of yearn or weaving of cloaths.

(8.) That £150 per annum be divided into smal premiums to be given within the several districts to be particularized by the trustees to such housewives as shall merit the same by making the best peice of cloath according to the regulations to be proscribed.

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The proprietors of the wool countrys humbly propose that the trustees may be impowered to apply the intrest of the sum of £14,000 annually for encouraging the consumpt of the coarse wool by imploying the poorer sort to spin the same in workhouses or spinning schools, or granting premiums, or in such other manner as the trustees and the proprietors of those shyres or such as have commission from them may think most propper ; and that the trustees be impowered to enter into contracts for the annual application of the intrest of the said sum of £14,000 in manner foresaid with the justices of the peace and commissioners of supply of the shyres of Berwick, Roxburgh, Selkirk, Peebles, Lanerk, Air, Wigtoun, Dumfreise and Edinburgh, and of the stewartrys of Annandale and Kirkudbright, and of such other shyres or stewartrys where any considerable quantitys of coarse wool commonly known by the denomination of tarred wool is or shall be produced, £700. The sums to be thus imployed extend to £3,000 per annum.

For the encouraging of herring fishing in deep waters :—

That the trustees be impowered to contract with any person or persones who will undertake and give security to fitt out one or more bushes to the number of 30 or more of burden from 30 to 50 lasts, from any port or ports of Scotland, tackled, provided and apparelled as the trustees shall direct, manned three fourths with British subjects, to be ready and begin to fish herrings or look out for them in the latitude of Bressa Sound in Zetland, on or before the first of June, and from thence forward to continue fishing herrings in deep water as they shall happen to run till the 20th day of September ; and the herrings caught to cure, pack, pine and repack, according to the articles to be settled by the trustees consistent with the laws in being, and to give to the person or persons so undertakeing and performing after a rate not exceeding 40 shillings sterling per last of the tunnadge or lastage of the bush extending at a medium upon thirty bushes of 45 last to 2700 li.

That the trustees be impowered and directed to prescribe to the undertakers such regulations as to the manner of ordering and dressing the fish, pining, sorting, packing and cureing their herrings, as they shall think fitt, always consistent with the laws in force, and to take security from the undertakers to comply therewith, and that the encouragement

shall not be paid to them till first they have given satisfaction to the trustees that the conditions have been fully complied with, but that nevertheless if any of the vessells fitted out for the fishing happens by accident to be lost or disabled before the fishing season is ended the undertaker shall be entitled to receive his premium.

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That the trustees be impowered to imploy a sum not exceeding £100 per annum for encouraging a certain number of fishing boats to search for the herrings comeing on the coast at such stations, in such manner and at such times as the trustees shall think fitt to appoint.

That a sum not exceeding £100 be annually applyed as an encouragement for 12 cure or wreck masters who shall become bound to observe such rules and instructions as shall be given them by the trustees for takeing care that the herrings, as well those caught in shallow as in deep waters, be rightly salted, pined, cured and repacked, and that the herrings so to be inspected by them shall be stamped and marked with such stamp or mark as the trustees shall appoint.

That a sum not exceeding £100 annually be employed for sallarys to two rideing officers who dureing the fishing season shall attend where they shall be ordered by the trustees to see that the undertakers to fitt out bushes doe perform their engagements to the trustees, and to superintend the wreck masters.

And in regard that in the infancy of this trade we are not able to determine with any certainty the proportions of the funds proposed to be severally applied for encouraging the purposes before mentioned, but that it may be found upon tryal that the proportions allotted for some of the purposes may be too small and those allotted for other parts may happen to exceed what is demanded for them, that in that event the trustees may be impowered to apply any part of the sums that are not exhausted by any ane or more of the purposes before mentioned towards encouraging one or more of the above said purposes where more is demanded than the proportions that are proposed for them in this scheme. And that the trustees be directed annually to form a report of their proceedings and management that the same may be subjected to such comptrole and examination as your Majesty shall think fitt.

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Edinburgh 9th November 1726. Signed in presence and by appointment of the convention of royal burrows by

Sic subscribitur : GEORGE DRUMMOND, preses.

9 November 1726.

Dissent by
commissioner
for Dunbar.

94. After reading of the minutes of the last sederunt the commissioner for Dumbar dissented from the plan agreed to by the convention and the scheme thereto subjoind and gave in the reasons of his dissent whereof the tenor follows. :—

Reasons why the commissioner for the Burgh of Dumbar dissents from the proposall for applying the national funds.

(1.) Because when said proposall was voted in convention, a good many of the most considerable members were absent, it being about the time of dinnar when no such vote was expected.

(2.) I dissent from that part of the proposall which gives 15 shillings for every acre of land shall be sown with lind-seed as directed by the trustees, because a good many people who are possest of muirish and other unvaluable grounds not worth one shilling per acre may from the highness of this premium sow lintseed upon these grounds, and though they know they will not produce lint worth the seed yet they will be sufficient gainers by the premium which in that case is so much lost to the nation at least to the design of promoting the linnen manufactory.

(3.) I dissent because a lesser premium, as it would have been sufficient encouragement soe it would have been more diffusive and of consequence more lint seed would have been sown.

(4.) I presume to dissent from that part of the proposall which seems to give a latitude to the trustees of bestowing the whole fyfteen shillings per acre to any who shall sow it in lintseed as by them directed or to give them but two shillings for every such acre as they think fitt, because it puts in the power of those trustees to give these premiums only to one sett of men and to discourag any other howsoever intituled to the same, and further I am of oppinion the trustees should only be the destributors of the premiums and not the makers of the quantums.

(5.) I dissent from that part of the proposall which gives a premium

of 30 shillings per loom to every person who shall have ten or more in one house and excludes others who have not so many, because it is the universal oppinion of mankind known in manufactory that no such undertakeings can ever turn to account if soe it is giveing ane encouragement to a wrong thing and at the same time robbing the other industrious part of the nation of that money so bestowed; neither do I think it a good argument for this that this sum destribut over the nation would be but a small pittance for I leave it to every ones reason if a sum of money were given to any society of men to be equally divided amongst them whether that society would think it a reasonable proposal if one of their number should tell them: Gentlemen, this money can never doe you all service but if you will give it to me I will make a good use of it and improve it to my own advantage. And this I take to be the plain case.

(6.) I presume to dissent from that part of the proposall which stakes down the premium to be given for the encouragement of fishing to vessells of thirty lasts and upwards, because these vessells may be more profitable for fyshing in deep water than others of a smaller syze, yet in the present situation of our country, for whom I presume those premiums are designed, the people most known in that trade and in whose hands it would most likely thrive are of so small stocks and so much impoverished by the failling of the coast fishing that they are not capable of fitting out vessells at soe great a charge as those above must be, whereas were a proportional premium allowed for vessells of a smaller burden a number of industrious skillfull people would be immediately at work to promote and advance that valuable trade, and as their stocks increased when they found the inconveniency of these small vessells they would gett larger, but now the trade can only be undertaken by some company or companys of men possest of large capitals and I dont know that a thorow knowledge of that trade always accompanys people of the largest stocks.

(7.) I dissent from that part of the proposall which gives premiums to the fishing of herrings and none to the fishing of codd, because tho one would be equally beneficiall to the nation with the other were the same extended, and as the appropriation of the national money is to fishing in general I know no reason why they should not be equally encouraged, the rather that the one would contribut verry much to the advancing of the

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other as the same vessells would serve and a good many other fishing matterialls; besides the undertakers would more readily find fishers could they find imploy for them so many more moneths in the year as the following the cod fishing would doe.

(8.) I dissent because dayly experience shows those known in that trade that the fish become every year scarcer near the coast, whereas the Dutch who fish in deep water continue to gett the same plenty as ever. I am therefor of oppinion a premium is wanted as much upon that branch as upon the other.

Committee to
draw up heads
of ane act of
parliament.

95. Remitted to the annual committee to draw up such laws and regulations as may be necessary for the plans agreed upon by the convention, to be laid before his Majesty.

Ratification of
act of town
council of
Edinburgh,

96. On report by the committee under the 65th act, the convention approved of an act of the town council of Edinburgh dated 12 August last containing rules and regulations for setting tacks or granting feu rights of property belonging to the Good Town.

Queensferry
tax roll.

97. On petition from the burgh of Queensferry shewing that they were designed to be eased two shillings of the tax roll in July 1723 but by some mistake the same was not inserted in the record, the convention appointed the agent to repay £6 sterling being the sum corresponding to two shillings in the tax roll for three years.

Letter to the
magistrats of
Camphere.

98. The annual committee reported the draught of a letter to be sent from the convention to the magistrats of Camphere, which [was approved of and ordered to be transmitted,] the tenor whereof follows:—Right Honourable,—His Majesty having been pleased by his commission under the great seall to nominat Archibald M'Aulay, esquire, conservator of the Scots priveledges in the Netherlands, we thought it our duty to acquaint you thereof and that we have received him to his office. As he is most acceptable to us we assure ourselves he will acquitt himself of the trust reposed in him to our mutuall satisfaction. We have directed him to follow the instructions formerly given by us to the deceased Mr Andrew Kennedy, late conservator, which we think well adapted to the staple contract, but if there is any thing yet wanting on our part which you may judge necessary towards the more punctuall observance of it we will be ready as we are informed thereof to give yow all contentment therein, being resolved religiously to observe all the stipulations in the

said contract prestable by us. Wee commend yow to the divine protection and wee are, [etc.].—Edinburgh 9th November 1726.

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99. Remitted to the annual committee “to fall upon some effectuall method to procure ane amendment of that law suspending corporall punishment; as also for putting the laws in execution for selling of lintseed by ane uniform measure.”

Corporall
punishment,
selling lintseed.

100. Approved of report by the committee under remit of 14 July last as to rewards to be given to their clerks and servants and for “extraordinary trouble hitherto occasioned by the frequent meetings of the convention and their committee touching the trade and manufactures of Scotland,” and granted the allowances therein mentioned.

Gratuitys for
extraordinary
services.

101. Recommend to such of the burghs as have not sent up the money collected for repairing the pier and harbour of Aberbrothock to send up the same as soon as possible.

Aberbrothock.

102. The convention appointed their agent to pay to Robert Stewart, one of the clerks of the customes, ten guineas for wryteing a book of rules and directions to read, understand and wryte the exchequer hand, whereof one copy was delivered to each member of the convention.

Rules for read-
ing and writing
exchequer
hand.

103. Dissolved the present convention and appointed the next to be held at Edinburgh on the first Tuesday of July 1727.

Convention
dissolved.

MEETINGS OF ANNUAL COMMITTEE *held at* EDINBURGH.

15 November 1726.

Edinburgh, Archibald M'Aulay; Irving, John Din; Dunbarton, Mr George Smollet; Banf, Mr George Ogilvie; Rothesay, (*blank*) Campbell of Munzie; Inverary, James Nimmo.

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Sederunt.

At request of the parties complained against, the committee delayed till to-morrow consideration of the complaint of the deacon and boxmaster of the hammermen of Perth referred to in the 70th act of last convention.

Hammermen
in Perth.

16 November 1726.

Edinburgh, Archibald M'Aulay and William Cant; Irving, John Din; Sederunt. Dunbartoun, Mr George Smollet; Rothesay, Patrick Campbell of Munie; St Andrews, Patrick Lindsay; Banf, Mr George Ogilvie; Kilrenny, Mr David Bethune; Sanquhar, George Irving; Air, Robert Wallace of Hornstoun.

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Hammermen
of Perth.

Having heard parties the committee "find that contraversies arising from elections of deacons within burgh is particularly made mention of in the fourth second act of the convention in July 1706 and that this dispute falls under that act and therefor that the question be putt to the said partys if or not they will against tomorrow submit themselves to the determination of the committee in the terms of the said act."

17 November 1726.

Sederunt.

Edinburgh, Archibald M'Aulay and William Cant; St Andrews, Patrick Lindsay; Ayr, Robert Wallace of Hornstoun; Irving, John Din; Rothesay, Patrick Campbell of Munie; Annan, Mr Charles Erskin; Inverary, James Nimmo; Stranraer, Mr Hugh Dalrymple; Campbeltoun, John Hogg.

Hammermen
of Perth.

The committee having heard Andrew Hamilton and William Sheills in the matters sett forth in their complaint, and als having heard Mr Robert Craigie, advocat, on behalf of Ninian Gray and Robert Buchan, complaind on, they in respect that the petitioners are willing to submit the matters in contraversie betwixt them and the saids Ninian Gray and Robert Buchan, and that the said Mr Robert Craigie refused to submit the same for the saids other partys, doe therefor appoint their agent to concurr with the saids Andrew Hamilton and William Sheills in any proces that may be raised for supporting them in their offices as deacon and boxmaster to the said incorporation of the hammermen of Pearth, and that upon the petitioners their own charges.

4 January 1727.

Sederunt.

Edinburgh, Archibald M'Aulay and William Cant; Linlithgow, James Glen; St Andrews, Patrick Lindsay; Ayr, Robert Wallace; Haddingtoun, Mr Robert Dundas; Montrose, John Coutts; Dumfreise, James Corrie; Innerkeithing, John Cant; Kinghorn, Mr Alexander Leslie; Irving, John Din; Selkirk, William Wauch; Dunbartoun, Mr George Smollet; Dunbar, James Fall; Peebles, John Ramadge; Banf, Mr George Ogilvie; Rothesay, Mr Patrick Campbell; Cullen, John Philp; Kilrennie, Mr David Bethune; Annan, Mr Charles Erskin; Sanquhar, George Irving; Queensferry, James Hunter; Inverary, James Nimmo; Stranraer, Hugh Dalrymple; Campbeltoun, Alexander Frazer; Pearth, Dundee, Aberdeen, Stirling, Glasgow, Kirkaldie, Anstruther Easter, Inverness, Jedburgh, Lanerk, Aberbrothock, Tain, Forres, North Berwick, (*blank*).

1. George Drummond, lord provost of Edinburgh, elected preses.
2. The heads of an act of parliament appointed to be drawn up by the 95th act of last convention was ordered to lie on the table till next meeting.
3. There was presented a petition in name of the burgesses of Dysert referring to the 69th act of last convention complaining that two of the persons thereby appointed to set the common good had by themselves without consent of the others set it "in a clandestine way at ane under rate and to persons insolvent without takeing security for the tack dutys, to the great loss of the burgh." The committee appointed the parties to appear before them on 11th instant to answer to the complaint.

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1727.

Preses.

Heads of act of
parliament
anent manu-
factures.

Complaint
Dysert.

Eodem die, post meridiem.

3. The heads of the act of parliament intended for encouraging and promoting the linnen and hempen manufacturys in Scotland being again read and fully considered by the committee they unanimously approve thereof and appoint the same to be recorded, whereof the tenor follows :

Heads of
the act of
parliament
approved.

That all hemp and lintseed be imported from the Baltic, Russia, Germany or the Netherlands, fresh and good ; that no lintseed, commonly called short lintseed, be imported from the Spanish Netherlands or other places where such short lintseed is produced.

That each person or persons who shall import, sell and retaile, bad, short or damnified lint seed or hemp seed, or who shall give it the name of another countrey than really it is or he has it for, or who shall mix the remains of the former with that of the current year, or shall sell lintseed by any measure other than that of the Linlithgow firloft straiked and its fractions duly stamped, upon being convicted thereof by the oath of one or more credible witnesses, or in default thereof by the oath of the party accused or by his invoices which he shall be oblidged to produce if called for, shall for each offence forfeit the lint seed and be lyable in a sum not less than fifty shillings sterling nor more than five pounds sterling for each hogshhead so imported and sold, and in a sum not less than half a crown nor more than five shillings sterling for each peck so retailed, and shall also forfeitt the measure and be lyable in a penalty not exceeding twenty shillings and not less than five shillings sterling in case of using a different measure than above prescribed ; with power to the judges before whom the case is tryed to call for and examine the servants and apprentices of such merchants or other persons they shall think fitt above the age of sixteen years touching and concerning any of the offences

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Heads of
the act of
parliament
approved.

above mentioned that servants or others refusing to make oath when thereto required may be sent to the next adjacent goal untill they submitt.

That no hemp or lint be steeped or watered in any bogue hole or peat moss where there is timber of any sort, nor steeped nor watered for two years successively in any standing pools, but in such pools as are digged at the sides of rivers or rivolets where a little water from the river or rivolet may be constantly going into and glyding from the said pools, or if in standing pools in such only as may be filled up with fresh water the same year in which they are used for steeping of lint or hemp. The penalty confiscation of the lint or hemp for the use of the poor of the paroch.

To prevent frauds committed in spinning and reeling of linnen yarn, that all linnen yarn exposed to sale or transported from one part of the United Kingdom to another be made up in hesps, each hesp consisting of twelve cutts and each cutt containing one hundred and twenty threeds all exactly numbered, that all the yarn contained in the said hesp be lint yarn or tow yarn only without mixture of lint yarn and tow yarn together and of equal fineness and the same colour, that the threed be not drawn beyond what the body of the lint will bear but evenly and sufficient merchantable yarn, that the said yarn be wool reeled and that each cutt be separated as the same shall be reeled and not afterwards and that the uniform standart reel be two Scots elns and a half in circumference or ninty three inches, commonly called the ten quarter reele. Penalty of the offences against the above directions, forfeiture of the yarn, which shall be cutt and given to the lapper or other informer, and breaking and burning all reels not of the forsaid circumference. For the more effectuall preventing and detecting such frauds, be it enacted that the lappers be instructed to attend and inspect mercats and fares within their respective bounds and to search merchants shops, warehouses, weavers houses, &c., where yarn may be suspected to be otherways made than in the terms of this act, with power to the said person or persons to seize and detain such yarn untill the same be legally tryd by the ordinary judges.

And whereas the exportation of linnen yarn to places out of Great Britain is very prejudicial to the linnen manufacture and contrair to

several laws made in Scotland, that it be enacted that no person or persons export linnen yarn to any place out of Great Britain under the penalty of confiscation of such yarn and a fyne of fyve pounds for each hundred hesp of yarn so shipt on board and detected, and that all persons transporting yarn by sea from one place of the United Kingdom to another be oblidge to give bond for landing the same at the port mentioned in the certificat as in the case of transportation of wool, under the penalties contained in that act; and that the exportation of linnen yarn be under the same regulations and penaltys as exportation of wool.

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Heads of
the act of
parliament
approved.

And whereas great abuses are committed in the linnen manufacture from the mismanagement of weavers, that it be enacted that no weaver sett up for himself without having served four years at the weaving of linnen or two years at the weaving of hemp, under the penalty of three pounds, and that all weavers having looms, graith, etc., not fitted for the branch of weaving they profess shall be lyable in fyve pounds, and these looms, reeds, etc., destroyed; and further that no weaver sett up for himself in burgh or countrey till he be examined and tryed as to his skill in that branch of weaving he professes by two or more skilled weavers appointed for that effect by magistrats of burghs within burghs or by two or more justices of the peace in the countrey who shall give in their report upon oath; and if the said weaver shall be found sufficiently qualified that he shall receive certificat of the same from the magistrats within burghs under the town's seall and from justices of the peace at their sessions in the countrey, or if found unskillfull that he be oblidge to find baill either to give over that trade altogether or to work as a journeyman untill he give proof that he hath attained sufficient skill in the branch of weaving he professes and receive certificat thereof as above directed; and that if any magistrat shall permitt any weaver to sett up for himself as a master weaver without such certificat of his having been examined and found qualified as above directed, or if any liferenter, proprietor or others having right to sett houses in the country, shall permitt or allow any weaver to possess their houses and set up looms without the forsaid certificat, such magistrat, proprietor or liferenter, shall forfeit the sum of five pounds sterling to be applyed in aid of the fund for improving the linnen manufacture. The fee for such certificat shall be sixpence

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and no more. And be it furder provided and declared that upon the complaint of two or more persons against any weaver already set up his having made bad work such weaver shall be subjected to the same trial and penaltys as is herein provided for weavers that sett up hereafter.

That each weaver who setts up for himself as master weaver either in burgh or country be oblidge before he sett up to enact himself before the chief magistrat within burgh, or before two or more justices of the peace at their sessions in the country, in registers to be kept for that effect, that he shall not for himself nor suffer any who works with or under him to make or cause make or weave any linnen cloath for sale otherways than according to such rules as are prescribed by this act, under the penalty of twenty shillings sterling for each web wrought by him, forfeiture of the cloath and the price of the peice of cloath to the owner.

That no weaver putt finer and coarser yearn in the warp or in the waft of the same peice of cloath but that he make the warp all of equall fyneness and the waft proportionable thereto and equally fyne from the one end of the peice to the other, and that he make no part of the peice thinner than the other nor putt lint yarn and tow yarn in the same peice, but that he make each peice of well sorted yarn all of equall fineness, equally wrought and sufficient workmanship, under the penalty of twenty shillings for each offence for the first time and suspension from his trade as a master weaver for two years and thirty shillings for the second offence, and for the third offence sent to the house of correction or next adjacent goal for one year by the judge competent to whom the execution of this act shall be committed.

That if any weaver neglect to weave the yarn delivered to him in the time and manner stipulated with him or shall waste or embazle the yarn so delivered to him or putt more than two threeds in the reed in weaving of plain cloath he shall for every such offence forfeit not less than two shillings and sixpense nor more than twenty shillings besides damnadge to the party injured.

And whereas there is a great demand for plain linnen cloath and the several other sorts of linnen manufacture made of linnen yearn of other breadths and lengths than hitherto prescribed by the laws regulating the same, which hath subjected the manufacturers of such cloath to great in-

conveniencys, for remedy whereof be it enacted that all sorts of linnen cloath be made by the standart yeard wand of the lengths and breadths following :—each peice of plain linnen cloath when whitened be full $\frac{1}{2}$ yeard or full five eights or full three quarters of a yeard or full seven eights or full yeard or full yeard and ane eight or full yeard and a quarter in breadth, and that all other plain, brown or green linnen cloath, not designd to be whitened, shall be made full five eights or full three quarters of a yeard or full yeard or full yeard and quarter in breadth ; [here follow regulations as to dimensions of plain whyte linnen cloath, striped linnen cloath, tykeing, linnen checks, chequered handchirfs made of linnen or linnen and cotton or wholly cotton, striped, plan, dropt or spotted muslane, cambrick, muslane aprons, muslane napkins, muslane neck cloaths, bongalls made of cotton and linnen, broad, double or single dornick table cloaths, double or single dornick for napry or towelling ;] and that all dyed yarn wrought into all sorts of checkered linnen tykeings and bongalls be of a sufficient dye that will stand in the washing. And whereas the fashions of cloath and other uses to which the linnen manufacture may be applyed are ambulatory and uncertain, be it enacted that the trustees of the linnen manufacture cause publish at the church doors of the several paroches where quantitys of linnen cloath are made, once in the moneth of September yearly, the breadth and length of all sorts of linnen manufacture whereof there is or shall be demand, noways inconsistent with this act which shall be a rule to all weavers and other manufacturers of linnen cloath for the year insueing such proclamation. And when any person whatever shall offer any cloath to be stamped in manner herein after directed that the lapper or stamp master shall ascertain the breadth of the cloath whether whyte or brown as he finds the same to come out upon measureing, and if any peice which is offered to be stamped as of five eights breadth comes too short of that breadth that it be stamped as of the next lower denomination, viz., half yeard breadth, and soe of all the other breadths herein mentioned. And for the better discovery of the quality of all plain, brown or whyte linnen cloath, be it enacted that the weaver shall run a course threed throw every two hundred threeds of the warp near the beginning and near the end of each peice of linnen cloath he shall weave and another course colloured threed within

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ane quarter of ane inch of the former throw every fourty threeds of the warp. The penalty of not marking or of wrong marking in manner forsaid twenty shillings sterling for each peice. And be it further enacted that every owner or owners of all unbleitched cloath called green cloath before exposing the same to sale shall bring the same to stamp offices severally appointed or to be appointed and their receive the stamp. . . . And whereas sundry persons have of late years made use of lime, pidgeons dung, soapers dregs, or other pernicious materials for whytenning linnen cloath, to the great prejudice of the said cloath, for preventing whereof be it enacted that no person make use of lime, pidgeons dung, soapers dregs, for whytening any sorts of linning cloath; penalty forfeiture of the cloath soe whytened and thirty shillings and discharged bleetching for two years. And for the better discovery of such as use lyme, &c, it shall not only be in the power of the officers appointed by the trustees for overseeing and inspecting the different branches of the linnen manufacture to enter to the houses and view the matteralls used by bleetchers but that the justices of the peace and magistrats or other judges compitent may and are authorized and required to examine upon oath the servants of the bleetchers or any other persons liveing near them who may have best access to know, and upon the testimony of such servants or persons upon oath that lime, pidgeon's dung or soapers dregs, have been used in the bleetching, all persons having accession thereto other than the discoverer shall be subject to the forsaid fyne. . . .

And be it further enacted that how soon plain linnen cloath for sale is fully whitened and dried the owner or owners thereof shall carry the same in the water fould of a yeard or half a yeard long to the aforesaid place where the lapper resides and stamps are kepted, there to be inspected stamped and lapped by the stamp master and lapper [who on being satisfied therewith shall stamp the same in the manner prescribed].

That when any justice or justices of the peace or chief magistrat shall condemn or adjudge any sort of linnen cloath brought before him to be forfeited for not being made according to the laws regulating the same such justice of the peace or chief magistrat shall and may order such cloath to be cutt into severall peices, each of the said peices not exceeding seven yeards, excepting white and chequered handkertchifs and neck cloaths

which he shall and may order to be cutt each dozen into three equall parts besides payment of the penaltys prescribed by this act.

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That if any person or persons shall take up and lap linnen cloath for sale while the same is wett or not fully dried or without being first inspected and stamped as before prescribed, that the person or persons so offending shall forfeitt the said cloath; [here follow statement of penalties on persons who shall (1) bring any cloath to be stamped that it is nott put up in the waterfoulds of one yeard or half yeard long, (2) expose for sale any insufficient cloath or any cloath not duely presented to the stamp master, (3) be found buying linnen cloath of the manufacture of Scotland or packing up the same for transportation by land or entering the same for exportation by sea that is not duly stamped;] and for the better discovery of any frauds on this head, that the stamp masters overseers or searchers of linnen cloath, [be empowered to search for and seize all linen cloth exposed for sale before being legally stamped.]

Heads of
the act of
parliament
approven.

And be it further enacted that the trustees of the linnen manufacture may be empowered and ordained from time to time to cause make a stamp or stamps bearing proper marks and distinctions for the different districts and to appoint a fitt and qualified person or persons for inspecting stamping and lapping all sorts of linnen cloath brought to be stamped and lapped within their respective bounds. . . .

That all the different breadths of linnen cloath have particular names and the person exposing the cloath to sale may have a labell of parchment affixt to each peice whereupon may be written the particular name of the cloath, the length and breadth of it, and that it be lawfull to all manufacturers and other makers of linnen cloath to affix such marks as they shall think fitt to any peice of linnen for recommending or raising the credit of their manufacture, provydeing such marks be entered into a book to be kept by the trustees of the linnen manufacture, or in default of them in the books of the sessions of the peice in the respective countys; penalty of counterfitting such a mark ten pounds sterling.

[Provision for recovery of fines.]

And to the end this act may be putt in due execution, be it enacted that the justices of the peace and magistrats of burrows, shirrifs of shirriffdoms, stewarts of stewartrys, baillies of bailliarys, lords or baillies

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of regalities, barrons of barronrys, and all other inferior judges are hereby strickly enjoyned and required to putt this act in execution within their respective jurisdictions, with power to the judges within burgh to putt this act in execution in the country, and the judges in the country are in like manner impowered to execut this law within burgh ; for the executing whereof their several jurisdictions are hereby extended allennarly. [Lists of all suits and processes under this act to be laid before] the lords of justiciary at their circuit in the moneth of May, yearly, to whom ane appaill shall lye at the instance of the party aggrieved ; likewise a direct action against all justices of the peace or magistrats of burghs and all other inferior judges for neglecting or refusing to putt this act in execution.

These are the principal articles which the committee of the royal burrows beleive will, if they are enacted into a law, regulat and carry to perfection the linnen manufacture ; but as they are sensible that those heads must suffer a good deall of variation before they are adapted properly to the style and method of ane act of parliament, and as they are conscious of their own unfitness to putt them into that order and texture that will suit the constitution of the country as it regards the execution of the several directions and the recovery of the different penaltys, they most humbly submitt these propositions as the rude lines only of regulations which they hope will be in the best manner adjusted and concerted to the advantage of the intended manufacture.

It has been urged with great reason that all duty might be taken off the soap, pott ashes and other ashes used in the bleaching of linnen, likewise that encouragement should be given for makeing of ashes in the country, for without the dutys are taken off soap, ashes, &c, used in bleaching, they're on ane unequall foot with their neighbours and rivalls in that trade, but the committee not knowing how practicable it may be to obtain this exemption from duty on soap, ashes, &c, in the case of the linnen altho it is so settled with regard to the woolen manufacture, they therefor leave it to the wisdom of the parliament to give such encouragement to the linnen manufacture, &c, in this particular as to them shall seem reasonable ; also to draw up into a law in the best form the heads above mentioned to take place from and after the first day of September

one thousand seven hundred and twenty seven years.—Edinburgh, 4th January 1727. Signed in presence and by appointment of the annual committee of the royal burrows. *Sic subscribitur*: George Drummond, preses.

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4. The committee considering that the future happiness and welfare of their countrey verry much depends on the success of their proposalls and that it is therefor their duty to doe every thing in their power to make the same effectuall, they therefor doe hereby authorize and impower George Drummond, esquire, present lord provost of Edinburgh, their preses, and Patrick Lindsay, esquire, member for the burgh of St Andrews, or any one of them, with all convenient dilligence to repair to London and there in name and behalf of the royal burrows to lay before his Majesty in obedience to his most gracious letter the general and particular plans agreed upon by the convention for promoting the fishing and other manufactures of this part of the United Kingdom and distribution of the funds to the particular purposes therein mentioned, and to endeavour to obtain such acts of parliament as may be most effectuall for promoting, encouraging and regulating the same, and particularly conform to some heads appoven by the committee of burrows for regulating the linnen and hempen manufactories. And the committee doe most humbly and earnestly recommend unto and intreat the members of parliament for Scotland and particularly those for the royal burrows to concurr with, countenance and assist them or anyone of them in those affairs that are of such important concern to the trade of this part of the kingdom and to give full credit to them or either of them as to the royal burrows themselves or their committee.

Commissioners
to negotiate
affair of the
manufactures
at London.

5. Instructed the agent to pay to the commissioners mentioned in the preceding act £200 sterling and such other sums as they shall draw for defraying their charges in managing the affairs of the burghs at London; "and remitt to the burghs of Edinburgh, Air, Dumfreise, Kilrenny, Dumbarton, Sanquhar and Inverary to draw up instructions to be given to them for the more effectuall management of the said affairs."

Charges of
commissioners
committee to
draw up
instructions.

11 January 1727.

Edinburgh, St Andrews, Dunbarton, Rothesay, Irving, Annan, Kilrenny, Sederunt. Sanquhar, Cullen, Stranraer, Inverary, same representatives as on 4th January; North Berwick, Mr Hugh Dalrymple.

EDINBURGH.
11 January
1727.

Preses.

Dysert.

1. George Drummond, lord provost of Edinburgh, elected preses.

2. Having considered the complaint against two of the persons appointed to set the common good of Dysart the committee found that the 95th act of last convention was unduly fulfilled by their proceeding to roup the common good and do other deeds of administration without consent of the other persons conjoined with them. The committee therefore annulled their whole proceedings excepting the setting of the common good in tack, they being bound to make good the tack duty set by them. The committee also appointed other three burgesses, making seven in all, to be managers of the burgh until a legal magistracy be chosen.

Instructions
to members
sent to London.

3. The committee appointed to draw up instructions to be given to the members sent to London for prosecuting the affairs of the burrows gave in the draft of the said instructions, which being read the committee approve of the said instructions and appoint them to be recorded and an extract of them to be delivered to Patrick Lindsay, esquire, member for St Andrews, and of which instructions the tenor follows :—

You are furthwith to repair to London and to use all means necessary to prosecut and follow forth the matters committed to your trust specifd in the powers and commission granted to you of the date the fourth day of January instant.

And whereas by the particular plan referred to in your commission such provision is not made as is necessary for introducing the manufacture of cambricks by granting premiums and encouragements to forreigners expert in that branch of trade to settle amongst us, whereby the same may be both taught and carryed on, by reason the funds arising from the publick money were not sufficient to give any sutable provision to that use unless the other valuable purposes specifd in that plan had remained unprovided for, you are therefore in the most humble manner to solicit that the surplusage ariseing from the malt tax, anno 1724, over and above the sum of £20,000 net be applyed to the introduceing and carrying on of cambrick and to any of the purposes specifd in the plan that deserves a provision larger than is thereby granted.

Whereas the success of the whole purposes specifd in the plans will depend much on the nomination of the trustees who are to have the charge and superintendency of the execution thereof, you are in the most humble manner to solícite that such a nomination be made soe as it be

universally acceptable to the countrey, and if that the royal burrows by the nomination shall have a representation by some of their number that power be given them to elect their representation annually.

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1727.

Instructions
to members
sent to London.

Yow are to keep a regular correspondance with the committee and to lay before them from time to time what progress you make in these matters.

17 February 1727.

Edinburgh, Archibald M'Aulay and William Cant; Dunbartoun, Mr George Smollet; North Berwick, Mr Hugh Dalrymple; Annan, Mr Charles Erskin; Irving, John Din; Sanquhar, George Irving; Kilrenny, Mr David Bethune; Rothesay, Mr Patrick Campbell; Queensferry, James Hunter; Inverary, Mr Archibald Campbell; Campletoun, Mr Alexander Fraser.

1. Archibald M'Aulay elected preses.

Preses.

2. Appointed two of the managers of Dysert to attend before the committee and answer to a complaint against them "and the committee remitt to the commissioners for the burghs of Rothesay and Sanquhar to enquire into precedents what the convention or their annual committee have been in use to doe in the case of the contempt of their authority."

Complaint
against man-
agers of
Dysert.

18 February 1727.

Edinburgh, Archibald M'Aulay; Dunbarton, North Berwick, Annan, Rothesay, Sanquhar, Queensferry, Inverary, same representatives as at last meeting.

1. George Drummond, lord provost of Edinburgh, elected preses.

Preses.

2. The commissioner for the burgh of Edinburgh acquainted the committee that several towns and incorporations had addressed his Majesty on the present situation of affairs and moved that the committee should also take this opportunity of testifying their duty and loyalty to his Majesty and the firm adherence of the burroughs which they represent to his sacred person and government; which being considered by the committee they unanimously approved of the motion and remitt to the commissioners for the burghs of Edinburgh, North Berwick and Rothesay, to draw up the said address to be laid before them upon Tuesday the twenty first instant.

Committee to
draw up
address to his
Majesty.

21 February 1727.

EDINBURGH.
21 February
1727.
Sederunt.

Edinburgh, Archibald M'Aulay; Inverkeithing, John Cant; Stranraer, Mr Hugh Dalrymple, junr.; North Berwick, Irving, Rothesay, Kilrenny, Annan, Sanquhar, Queensferry, Inverary, Campletoun, same representatives as on 17th February.

Preses.

1. George Drummond, lord provost of Edinburgh, elected preses.

Address to his
Majesty ap-
proven.

2. The subcommittee appointed to draw up ane address to his Majesty on the present situation of affairs presented the [following which was approved and ordered to be forwarded to the parliamentary representative for Edinburgh for presentation].

To the King's most excellent Majesty, the humble address of the royal burrows of Scotland. Most Gracious Sovereign,—It is the greatest happiness of your subjects that to congratulat the success of your undertakings is at the sametime to congratulat their own felicity, so perfectly has your Majesty united the intrest of your crown and your people.

In some other kingdoms the oppressed subjects have no other comfort for the lavish wasting of their blood and treasure against forreign enemys but the ungratefull sight of the confirming of that power which, designed for defending, is unaturally employed to subdue themselves and proceeds with freeborn subjects as if they were the miserable slaves of a conquered country.

But wee with joy behold your Majestys fleets putting just restraints on those baughty princes who projected to shake your throne, and find that the establishing of it is the secureing of our religion, liberty and property, and the preservation and advancement of our commerce. All these being now threatned by the enemys of our King and countrys, we cannot but rejoice to see armys and navys at your Majestys command who no farther asks or employs them than the secureing and encrease of our happiness requires, which we see are our defence as well as your own and which only can be dreadfull to the foes of your government and people.

The potentate who owes his present greatness to the bounty and strength of Britain will find that the same valour that raised him shall

through the divine blessing restrain him from hurting his benefactors and that when the sacred ties of gratitude and solemn treatys are broken by his ambition your Majesty's wise counccills and gallant forces shall repress it and fetter it down.

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21 February
1727.
Address to his
Majesty ap-
proven.

A king so carefull as your Majesty is of the prosperity of your people could not suffer their commerce to be undermined and encroached upon nor permit the fortresses acquired for securing the trade and navigation of your dominions to be wrested out of your hands by that monarch who was glad to yeild them up when Britain and its allys allowed him to reign.

Your Majesty's enemys, not content with projects so pernicious, threaten us with the utmost vengeance, the Popish Pretender to your crown; and this they shew that the hope of his cause is founded on the ruine of the wealth and force of Brittain against which they are attempting and calling him as their assistant to destroy them, and his being the tool of Rome renders his cause inconsistent with true christianity, the cause of heaven. The barbarous and perfidious treatment of our protestant brethern at Thorn and too many other places (whose blood still crys aloud to God and his earthly viceregents) are so many undeniable and flagrant proofs that a protestant people can expect nothing but tyranny and all its dismal fruits from popish masters.

Our duty, our intrest, and every thing that can move the minds of men who have a sense of religion, of social virtue and of their own happiness, make us firmly resolved to adhere unalterably to your Majesty's person, protestant family and government, and to doe our utmost to support your Majesty who has the only righteous title to the crown of Brittain, and none other can ever be acknowledged nor submitted to by, may it please your Majesty, your Majestys most loyal most dutefull and most obedient subjects and servants. Signed, [&c.], Edinburgh 21 February 17²⁶/₂₇.

Follows the letter sent to the members of parliament:—

Sir,—The royal burrows have this day signed a dutifull and loyal address to his Majesty which by their appointment is forwarded to be presented by the member of parliament for Edinburgh; and I am commanded to pray that yow with the other members of parliament from the

Letter to
members of
parliament.

EDINBURGH.
21 February
1727.

burrows will be pleased to attend with Mr Campbell when he is allowed to present it. I am, [etc.].

23 February 1727.

Sederunt.

Edinburgh, Archibald M'Aulay and William Cant ; Dunbarton, Mr George Smollet ; Irving, John Din ; Innerkeithing, John Cant ; Rothesay, Mr Patrick Campbell ; Sanquhar, George Irving ; Kilrenny, Mr David Bethune.

Preses.

Complaint
against bur-
gesses of
Dysert.

1. George Drummond, lord provost of Edinburgh, elected preses.
2. Certain burgesses of Dysert having been cited to attend this meeting but not compearing there was read a letter from two of them stating they "were sorry they could not attend, for the day appointed being the Falkland mercat they and several of the other burgesses their privat affairs required their attendance there and their absence at that time would tend to their great loss and prejudice," and craving that another time may be appointed for appearance. On the application of the complainers the committee admitted the allegations in the complaint to probation and fixed 28th instant for taking the proof.

28 February 1727.

Sederunt.

Edinburgh, Archibald M'Aulay and William Cant ; Dunbarton, Mr George Smollet ; Irving, John Din ; Inverkeithing, John Cant ; Annan, Mr Charles Erskin ; Rothesay, Mr Patrick Campbell ; Sanquhar, George Irving ; Kilrenny, Mr David Bethun ; Stranraer, Mr Hugh Dalrymple.

Preses.

Complaint,
Dysert.

1. George Drummond, lord provost of Edinburgh, elected preses.
2. John Black and John Mortimer gave in written answers to the complaint against them "and a counter complaint subscribed by them for themselves and in name of the stent masters of the said burgh ; which being read, and the said John Black and John Mortimer being asked if it was usuall that the drum went through the town by appointment of the magistrats or by order of the stent masters, they answered that when there was a legal magistracy in the exercise of their office it was by their order that the drum went through the town but now that there is no magistrats the stent masters take upon them to doe it." After depositions of witnesses were taken the committee delayed the further consideration of the affair till 1st March.

1 March 1727.

Sederunt.

Edinburgh, Archibald M'Aulay ; Dumbarton, Mr George Smollet ; Irving, John Din ; Sanquhar, George Irving ; Air, Robert Wallace ; Rothesay, Patrick Campbell.

1. George Drummond, lord provost of Edinburgh, elected preses.
2. Farther proof having been led in the complaint against John Black and other burgesses of Dysert the committee remitted to a subcommittee " to make a state of the proof and to enquire into the powers of the burrows and precedents of this nature and to lay the same before the annual committee at their next meeting upon Tuesday the seventh instant at three in the afternoon."

EDINBURGH.

1 March 1727.

Preses.

Complaint,
Dysert.

7 March 1727.

Edinburgh, Archibald M'Aulay and William Cant; Stirling, Collonell Erskin; Kinghorn, Mr Alexander Lesslie; Ayr, Robert Wallace; Irving, John Din; Dumbartoun, Mr George Smollet; Kilrenny, Mr David Bethune; Rothesay, Mr Patrick Campbell; Sanquhar, George Irving; Inverary, Mr Archibald Campbell; Stranraer, Mr Hugh Dalrymple.

Sederunt.

1. George Drummond, lord provost of Edinburgh, elected preses.
2. The subcommittee appointed to consider the proof adduced by James Abercrombie and others complainers against John Black and John Mortimer and others and to enquire into the powers of the burrows and precedents reported that they having considered the complaint with the answers given by the defenders and proof adduced by the complainers, it appeared proven to them that the defender baillie John Black at the first meeting of the managers of the common good of the burgh of Dysert and for imposing and ingathering the cess thereof appointed by ane act of the burrows dated the eleventh day of January last, did in contempt of the authority of the royal burrows vote for James Blackader to be their preses of said meeting who was not of their number, and likewise that the said baillie John Black being desired by baillie Abercrombie, preses of the managers, to goe with them in order to lay on the stent did answer that there were stent masters already who should not be altered for a year, thereby contemning and setting asyde the said act of the burrows which declairs void all the preceeding acts of the said manadgers except that of their setting the common good of the said burgh, both which instances of contempt are aggravated by this consideration that the said John Black sat as a member of the preceeding convention and the managers were appointed for that town at his suit. It appears also proven to them that the said John Mortimer has in the answers and counter complaint given

Preses.

Committee's
report anent
complaint
against bur-
gesses of
Dysert.

EDINBURGH.
7 March 1727.
Committee's
report anent
complaint
against
burghesses of
Dysert.

in for and signed by him treated disrespectfully and contemned the authority of the annual conventional committee by denying their jurisdiction and affirming that the stent masters have the only right to continue in their office notwithstanding of the said act of the burrows declairing the proceedings of the managers void as aforesaid, that it appears that the said John Mortimer did join with the defender John Black in voting for a person to be preses who was not of the number of the manadgers in so far as the minuts of sederunt bear it, the truth of which is supported by the deposition of the clerk and as he himself in his said answers owns; that he pronounced some such words as that James Blackader was preses but explains it as if he had only said preses of the stentmasters, the contrary of which is deponed upon by the clerk; as also it appears proven by his own acknowledgement that he so far contemned the said act of burrows that (as he says himself) in the election of the preses of the managers he did never so far acquiesce in the act as to give any voice at all, which are aggravated by this that the said John Mortimer is one of the persons applying to the convention to have managers appointed; and therefor it appears proven that the saids baillie John Black and John Mortimer, two of the managers appointed by the convention, are guilty of a high contempt of the authority of the royal burghs in not giving punctual obedience to the forsaid act. It farder spears by the judicial declaration of James Blackader, defender, joined with the declaration of Robert Thomson, wryter in Dysert, that he and other persons who were appointed stent masters by the late magistrats and councill of Dysert proceeded to act as stent masters in November last being brought together by baillie Black, and that after the foresaid act of the committee was intimated to the said Blackader and other stent masters, in contempt thereof, they proceeded to act on pretence of their election by the said magistrats and councill, notwithstanding that he acknowledges his Majesty's order making void all the acts and deeds of the said magistrats and councill was intimated to them in August last; by all which actions of the said baillie John Black, John Mortimer and James Blackader, not only the authority of the royal burrows was contemned but also his Majestys royal authority and occasion and encouragement was given to tumults and disorder in the burgh. And having enquired into the powers given to the royal burrows touching such matters

and their proceedings concerning the same it appears to us that by a charter under the great seall dated the 5th November 1454 the four burrows therein named are impowered to meet and finally determine on all matters and rights belonging to the burrows according to the burrow laws and custom ; that by the 3rd act of James 3rd parliament 14th commissioners from all the burrows are impowered to meet as therein directed and to treat upon the welfare of merchandize, the good rule and statuts for the common profit of burrows, and to provyde for remeid upon the skaith and injuries sustained within burgh, that by the 119th act parliament 7th James 6th commissioners from the burrows are again impowered and commanded to meet and to treat and act as aforesaid under a penalty, and by the 6th act parliament 19th James 6th execution by letters of horning is appointed to pass upon all the acts and decreets of the convention. That from the records it appeared to the committee that the burrows in virtue of their forsaid powers have been in use to punish contempt of their authority by fineing, by imprisonment and by deprivation, and for brevities sake the subcommittee referred to the case of Kello in Dunbar in anno 1602 and the case of the magistrats of Culross anno 1720. Which report, with the foresaid complaint and answers, writes produced by the complainers, probation adduced for proving the forsaid complaint, and hails reasons and alleadgances of either party being fully read and considered by the annual committee of the royal burrows, they unanimously approve of the report of the said subcommittee and find that the saids John Black, John Mortimer and James Blackader defenders have treated disrespectfully and contemned not only the authority of the royal burrows and their annual conventional committee but also his Majestys royal authority, whereby occasion and encouragement was given to tumults and disorders in the said burgh of Dysert in manner mentioned in the report of the subcommittee above written, and therefor they fyne and amerciat the said John Black in the sum of one hundred pounds Scots money to be payed into the compters and by them applyed for the benefit of the burgh, as also they have suspended and doe hereby suspend the said John Black and James Blackader for a term of two years and the said John Mortimer for one year, all commenceing from the date hereof, from the use and exercise of

EDINBURGH.
7 March 1727.
Committee's
report anent
complaint
against
burgesses of
Dysert.

EDINBURGH.
7 March 1727.
Committee's
report anent
complaint
against
burgesses of
Dysert.

any of the powers, priviledges, libertys and immunities which belong to the free burgeses of the said burgh of Dysert as such ; and in consideration of the saids acts of contempt they have recalled and hereby recall the acts of the royal burrows whereby they were appointed managers of the said burgh, and that in so far as concerns the said John Black and John Mortimer, and of new nominat and appoint the said James Abercrombie, David Reddy, Thomas Spense, late baillies of Dysert, Gilbert Clerk, ship-master there and Walter Bisset (whereof any three to be a quorum) to be sole managers of the affairs of the said burgh of Dysert, untill a legal magistracy be established, with the haille powers formerly granted to them by the former acts of the convention and annual committee, and furdur with power to them to call for the key of the tolbooth from William Salmond, town officer, or any other haver thereof, and in case of refusall to cause make open the same, and putt a new lock thereon, and with power to them to doe every other thing which any other managers for burghs are in use to doe in the like cases, dischargeing hereby the said John Black and John Mortimer to act as managers, and the said James Blackader or any others except such as shall be appointed by the managers above named to act as stent masters in time comeing ; and ordain letters of horn-ing and all other execution needfull to pass hereon in form as effeirs.

16 June 1727.

Sederunt.

Edinburgh, Archibald M'Aulay ; Kirkaldie, James Jeffrey ; Montrose, John Coutts ; Irving, John Din ; Banff, Mr George Ogilvie ; Hadingtoun, Mr Robert Dundas ; Rothesay, the Lord Munzie ; Annan, Mr Charles Erskin ; Sanquhar, George Irving ; Queensferry, James Huntar ; Stranraer, Mr Hugh Dalrymple ; Campbletoun, Mr Alexander Frazer.

Preses.

Fishery and
manufactures.

1. George Drummond, lord provost of Edinburgh, elected preses.
2. Appointed the agent to honor two bills amounting to £196, 14s. 6d. sterling, drawn by Patrick Lindsay, commissioner for St Andrews, towards defraying expense incurred in obtaining the several acts of parliament for improvement of the fishery and manufactures in Scotland.

GENERAL CONVENTION *held at* EDINBURGH.

Edinburgh, Patrick Lindsay and William Cant; Perth, Robert Robertson; EDINBURGH.
 Dundee, Alexander Ferrier; Aberdeen, George Fordyce; Stirling, James 4 July 1727.
 Johnstoun; Linlithgow, Thomas Ronald; St Andrews, William Douglas; Sederunt.
 Glasgow, John Stark; Ayr, James Montgomery; Haddington, James Erskin;
 Kirkaldie, Andrew Key; Coupar, Thomas Greig; Anstruther Easter, William
 Lawson; Dumfries, John Irving; Inverness, Gilbert Gordon; Burntisland,
 George Boog; Innerkeithing, Henry Cunningham; Kinghorn, Mr Alexander
 Leslie; Brechin, Robert Whyte; Irving, Robert M'Taggart; Jedburgh, James
 Douglas; Pittenween, Robert Borthwick; Dumfermling, Alexander Veitch;
 Anstruther Wester, John Cunningham; Selkirk, John Pringle; Dumbarton, Mr
 George Smollet; Ranfrew, Mr John Cochran; Dunbar, James Fall; Lanerk,
 John Russell; Aberbrothock, James Doig; Elgin, William Forbes; Peebles,
 John Ramadge; Craill, John Lumsdean; Tain, George master of Ross; Culross,
 James Adam; Banf, Mr George Ogilvie; Whithorn, William Agnew; Rothesay,
 The Lord Monzie; Forbes, Mr Duncan Urquhart; Ruthglen, David Scott;
 North Berwick, Sir Robert Dalrymple; Cullen, Mr John Philp; Lauder,
 Andrew Wood; Kilrenny, Mr David Bethune; Annan, Mr George Blair;
 Lochmabine, Robert Robieson; Sanquhar, John Crichtoun; Dingwall, Collonell
 Robert Munro; Queensferry, James Hunter; Kintore, Robert Bruce; Inverurie,
 Mr James Fergusson; Inverary, James Nimmo; Stranraer, Mr Hugh Dalrymple;
 Campbeltoun, Alexander Frazer. (Twelve burrows *blank*).

4 July 1727.

- | | |
|--|---------------|
| 1. George Drummond, lord provost of Edinburgh, elected preses. | Preses. |
| 2. Appointed a committee to consider the commissions. | Committee on |
| 3. The clerks to the convention and their deputies qualified themselves by | Commissions. |
| taking the oaths. | Clerks quali- |
| | fied. |

5 July 1727.

- | | |
|---|----------------|
| 4. Approved of the commissions in terms of report by the committee. | Commissions |
| 5. Commissions of certain burghs heard and approved. | approven. |
| 6. Appointed a committee "to bring in the draught of ane address to his | Committee to |
| Majesty." | draw ane |
| | address to his |
| | Majesty. |

6 July 1727.

- | | |
|--|-------------|
| 7. Commissions of certain burghs heard and approved. | Commissions |
| | approven. |

EDINBURGH.

6 July 1727.

Address to his
Majesty
approven.

8. The committee appointed to draw up ane address to his Majesty King George the second presented the draught thereof, which being read in the convention they unanimously approved of the said address and appointed the same to be signed by their preses in their name and to be furthwith transmitted by a flying packet to the right honorable the Earle of Ila to be by him presented to his Majesty; and the convention recommend to their preses to wryte to his lordship in their name intreating him to take the trouble of presenting the said address and to thank him for his former favours and good offices to the royal burrows; and of which address the tenor follows:—

To the King's most excellent Majesty, the humble address of the royal burrows of Scotland. Most gracious Sovereign,—Wee your Majestys most faithfull and loyal subjects beg leave to approach your sacred presence with humble expressions of our greiff and affliction for the death of our late most gracious Sovereign and of our great joy for your Majesty's peaceable and happy accession to the throne of your ancestors.

Happy under the gentle reign of your royal father, and amongst the latest acts of his government having receaved a fresh proof of his paternal care of our trade, manufactures and fisherys, nothing less was capable to repair our loss and revive our minds upon the decease of that excellent Prince than the sovereign power in the hands of your Majesty, beloved by your people, and who esteems it the surest impire to reign in their hearts. •

The great courage by which your Majesty was early distinguished in the defence of the protestant religion and the libertys of Europe, and the ample assurances given your people of your Majesties tender care inviolably to preserve the constitution of these kingdoms and to secure to all your subjects the full enjoyment of all their rights, sacred and civil, must surely excite the highest love and affection to your sacred person and prove a support and security to your croun and government never to be shaken.

Permit us in a particular manner to mention the strong security we receaved early upon your Majesty's accession to the croun for the support and preservation of the rights and priviledges of the Church of Scotland as by law established on which we intirely rely. We for our part

with hearts full of duty, love and affection to your Majesty, beg leave to tender unfeigned assurances that we will upon all occasions with our lives and fortunes maintain and support your Majesty's undoubted right and title to the imperial crown of these realms against all attempts whatsoever.

EDINBURGH.
6 July 1727.
Address to his
Majesty
approved.

May your Majesty long reign the most beloved and glorious prince that ever filled the British throne, ever successfull in your generous endeavours to make your people happy and great. May your Majesty be long blest in your royal consort, and may your royal family enherit your noble sentiments, princely virtues, and the crown of Great Britain to latest posterity. These are the sincere and constant wishes of, may it please your Majesty, your Majestys most loyal most dutifull and most obedient subjects and servants. Signed, [etc.]. Edinburgh 6th July 1727.

9. Remitted to a committee consideration of the general missive.

10. Appointed the agent to give in his accounts next sederent.

Committee
to consider
missive.

11. There was presented by the convention a petition for William Cant, deacon conveyer of the trades of Edinburgh, and for the other deacons of the several incorporations thereof for themselves and in behalf of the whole incorporations of craftsmen in Edinburgh, setting furth that the craftsmen in Portsburgh, a suburb of Edinburgh, had of late made several incroachments on the libertys and freedoms of the incorporations of Edinburgh, and had proceeded to bring a proces against them before the court of session which had necessitat them to raise a counter proces against the said unfree craftsmen, and it being a matter that concerned the haill incorporations of the royal burrows of Scotland, craveing therefor the convention would concur with the petitioners in defence of their just rights and priviledges untill the event of the said processes ; which being read in presence of the convention they appoint their agent to concur with the petitioners in defence of their rights and priviledges untill the event of the above-mentioned processes and that upon the petitioners own proper charge and expence.

Agent's ac-
compts.

Agent to con-
cur with the
trades of Edin-
burgh,
Portsburgh.

12. Remitted to a committee petition from the magistrates and council of Dumfreis "craving allowance to settle 600 merks yearly out of the patrimony of the town upon a minister for their new built church."

Petition for
Dumfreis,
minister.

7 July 1727.

EDINBURGH.
7 July 1727.Heds of
missive
continued.
Anstruther
Wester.Dumfreis,
ministers'
stipends.

13. Approved of report of committee on the missive and continued certain articles to be heads of next missive.

14. Approved of commission from Anstruther Wester.

15. The committee to whom the consideration of the petition from the magistrats and town councill of Dumfreise was remitted reported that they having mett and considered the same were of oppinion that it is absolutely necessary that the church lately built in the said burgh of Dumfreise should be provyded with a minister, but in consideration that there is no fund out of which a stipend can be settled on a third minister and that the two ministers already settled in the said burgh are willing to supply both the new and old churches upon granting ane additional stipend of sex hundred merks Scots to Mr Patrick Lind, second minister, and his successors, thereby to make the stipends of the first and second minister equall, and that it appears to them to be a pious, frugal and rational deed to supply the said new church in the manner before mentioned, were therefore of oppinion that the magistrats and town councill should be authorized and impowered to grant bond to Mr Patrick Lind, present minister of the said burgh dureing his incumbancy and his successors for payment to them of sex hundred merks of additional stipend to the said new church from and after Michaelmass next to come soe as the patrimony of the said burgh may be effectually subjected in payment thereof. Which report having been considered by the convention they approve thereof and interpones their authority thereto and hereby grants warrand and impowers the magistrats of said burgh to grant bond accordingly.

Bruntisland.
Bamf.

16. Continued the article in the missive anent the visit to Bruntisland.

17. Remitted to the committee on the missive consideration of the article as to visit to the burgh of Bamf.

Peebles.

18. Allowed to the burgh of Peebles £30 Sterling to enable them to perfect the public works mentioned in report of the committee who visited the burgh.

Craill.

19. Remitted to annual committee report of visitors to the burgh of Craill.

Sanquhar.

20. Allowed to the burgh of Sanquhar £12 sterling to be applied towards the repair of the Tolbooth and other public works.

Lochmaben.

21. Approved of report by the burgh of Lochmaben of the feuing of certain pieces of ground belonging to them and granted warrant to the magistrates to feu other pieces of ground at the sight of certain burghs.

22. Approved of a gift of the clerkship of the burgh of Selkirk in favour of William Wauch conjunctly with his father. EDINBURGH.
7 July 1727.

23. Remitted to a committee to prepare a recommendation to the burghs for raising collections at the doors of the churches for building a harbour at Aberbrothock. Selkirk, clerk.
Aberbrothock.

24. Remitted to the annual committee "petition from the inhabitants of the town and paroch of Weemys complaining that a party ordered to quarter upon them had poinded goods to a considerable value and upon their payment of the deficiency they refused or neglected to restore the said goods." Petition of
Weems.

25. Remitted to the annual committee petition from Thomas Mathie, merchant at Cockeny, relating to a contract formerly made anent the communication of trade for Cockeny and Portseton. Cockeny and
Portseton.

26. Allowed to Robert Bruce, bailie in Kintoir, who has been a member of convention upwards of thirty years ago and is now in straitened circumstances, £6 sterling "of supply for the support of his numerous family." Agent to pay
Robert Bruce,
£6.

27. Remitted to a committee to consider the agent's accounts.

28. Approved of payment to Patrick Lindsay, member for St Andrews, of £500 for his expenses attending his negotiations in London and £300 "in consideration of his pains and attendance." Agent's ac-
counts.
Negotiation of
Patrick Lind-
say at London.

29. The convention considering that the last general convention in their return or answer to their late sovereign King George the first his most gracious letter in relation to the promoteing and encouraging of the trade, fisherys and manufactures of Scotland, that the publick funds therein mentioned might not be diverted from the appropriation therein exprest on account of sallarys to clerks and propper servants or any incidents, they with great chearfullness humbly undertook to make provision for such sallarys and incidents as a testimony of their sincere gratitude to their said late Sovereign for the great regaurd he had been graciously pleased to have for their welfare and prosperity; considering likewise that by ane act of parliament made in the thirteenth year of the reign of our said late Sovereign the publick funds before and therein mentioned are appropriated to the use of the forsaid trade, fisherys and manufactures, as the same should be directed by our Sovereign his letters patents under the management of twenty one commissioners or trustees as is at large contained in the above in part recited act of parliament, and that a warrand for such a patent was actually granted by our said late Sovereign and that we are in hopes to hear by every post that our sovereign lord the King

EDINBURGH.
7 July 1727.
Publick funds.

has been graciously pleased to renew the same ; therefor the convention doe unanimously resolve that the aforesaid offer or promise touching the defraying of the said sallarys and incidents be fulfilled and performed and that to these purposes and uses a sum not exceeding one hundred and thirty pounds sterling shall be payed by their agent towards defraying the same for one year in case the said patent be receaved to be issued as the annual committee who are to be appointed to sit after dissolving of this convention shall direct ; and in regaurd that the convention have frankly subjected themselves to payment of the said sallarys and expence they perswade themselves that the trustees to be named by the said patent will use and imploy no more servants than what are absolutely necessary and such persons only as are well qualified, and doe humbly propose that in setting outt there shall be only a secretary and ane assistant, and being fully convinced of the qualifications and fitness of David Flint, merchant in Edinburgh, for dischargeing the office of secretary, the convention doe unanimously and humbly recommend him to the trustees to be preferred thereto in case by the patent the election of such servants shall belong to the trustees, and in case it shall belong to the convention that then and in that case the convention doe hereby require and command the said annual committee to elect the said David Flint to be secretary to the said trustees, with power to him to make choise of ane assistant to himself, and are of oppinion a sallary of sixty pounds may be given himself with twenty pounds of sallary to him for such ane assistant ; and if the said patent be renewed the convention doe hereby appoint their agent to cause expedite the same under the great seall and to advance the money necessary to that use at the sight of the said committee.

10 July 1727.

Agent's ac-
countts, unfree
trade.

30. Find that in accounts of intromissions with unfree trade the agent charges himself with £1272, 8s. 10d. (including last balance, £320, 10s. 1d.), and discharges him with £312, 12s. 6d., leaving a balance of £959, 16s. 4d. Scots. The following receipts are included in the charge ; Town of Weemys, £100 ; Dunnikier, £14 ; Kilwinning, £100 ; Leven, £281, 18s. 9d. ; Saltcoats, £400 ; Alloway, £56.

31. Find that the agent in his account of intromissions with missive dues EDINBURGH. 10 July 1727. charges himself with £12,959, 16s. 4d. Scots (including last balance, £959, 16s. 4d.), and discharges himself with £14,019, 6s. 6d., leaving a balance of Agentt's accounts, missive dues. £1059, 10s. 2d.

32. The committee on the missive reported that they having considered the sixth article thereof anent the right cureing and packing of Laws anent linnen cloath, cureing of herrings. herrings, the seventh article anent the uniformity to be observed in the standarts of the reel of worsted yarn and tale thereof, the eight anent the measure to be used in the retail of lintseed, the twelveth anent the abuses and transgressions made of the laws and regulations in trade and the thirteenth anent the right makeing and measureing of linnen cloath, they were of oppinion that these articles should be delate out of the missive in respect that by late laws sundry variations become necessary, and in places of these heads and articles all the laws in force touching the matters and things contained in the aforsaid heads that are to be dilated ought to be collected and reprinted and a copy transmitted to every burrow, and the burrows should be appointed to inforce the execution of these laws and annually to report their dilligence with their oppinion concerning any new law or regulation necessary for promoteing of trade and manufacture and that the aforsaid appointment be ane head of the annual missive; and were also of oppinion the ninth article anent the selling of herring by met and not by tale ought to be continued as ane head of the next annual missive, which report being considered by the convention they approve thereof and [resolve accordingly].

33. Approved of the proceedings of the annual committee.

34. The convention approved of the [following draught of a letter to the magistrates of the town of Camphere :]—Right honourable,—By our letter of the ninth of November last we notified a commission was granted by his late Majesty King George the first, of blessed memory, to Archibald M'Aulay, esquire, of the office of conservator of the Scots priveledges in the Netherlands, and that wee had received him to his said office and directed him to follow the instructions given to the former conservator. Mr M'Aulay intended to have waited upon yow in the moneth of March last and delivered our former to which we refer, but Annual committee's proceedings approved. Letter to the magistrats of Camphere.

EDINBURGH.
10 July 1727.
Letter to the
magistrats of
Camphere.

the affairs of the royal burrows of Scotland whereof he is a member made it absolutely necessary for us to detain him contrair to his own inclinations. We doe assure yow that on our part we will faithfully perform the staple contract and have instructed him to lay before us anything that can tend to the benefit thereof, and wee are perswaded that as his abilities and qualifications are known and acceptable to us yow will soon discover that throw his dilligence and application all grounds of complaint arising from non observance or non disturbance will be fully and effectually removed. We commend yow to the divine protection and are, [etc.]. Edinburgh 10th July 1727.

Electing
members of
parliament.

35. The convention having taken into their consideration a motion made by the commissioner for the burgh of Stirling, seconded by the commissioner for the burgh of Kirkaldie, touching the carrying on of prosecutions against such high shirriffis and their deputs as shall neglect or refuse to issue their precepts for electing delegats to choise members of parliament, as the laws made in that behalf direct, in regaurd great damnadge has arisen to burghs by delaying or refuseing such precepts to the burrows till the time fixed for the choise of members of parliament is almost elapsed and whereby no compitent time is given to make choise of said delegats, which is ane illegal practise committed by some shirriffis and their deputs for vile purposes, the convention therefor appoint their agent at their expence to carry on prosecutions against every person offending in such caſes as he shall be directed by the annual committee ; and the convention impowers and authorizes the annual committee to appoint the agent to issue money to these uses as to them shall appear necessary and require and command the magistrats and town councill of every royal burgh to lay before the annual committee ane full and distinct account of any such abuse that shall happen with the propper vouchers thereof that thereby prosecutions may be carryed on as aforsaid and recommends to the members of this convention to take coppye of this act to their respective burrows to be recorded in their respective burrow book.

Banf, £30.

36. Allowed to the burgh of Banf £30 Sterling for the uses mentioned in report by the visitors and recommended to the several burghs to promote a voluntary contribution amongst their inhabitants for building a harbour at that burgh.

37. Having heard petition from Enster Easter, recommended to the several burghs "to promote the voluntary contribution granted to them from the general assembly for building ane west head to their harbour." EDINBURGH.
10 July 1727.
Anstruther
Easter.
Aberbrothock.
38. Appointed the annual committee to write the burghs which are deficient to make their collections for building the new harbour at Aberbrothock.
39. Appointed a committee to visit the burgh of Whithorn and report its condition to the annual committee. Whithorn.
- 40-44. On petitions from the following burghs the convention appointed committees to visit the burghs of Brechin, Queensferry, Dumbar, Lanerk and Selkirk and report their condition to next annual convention. Brechin,
Queensferry,
Dumbar, Lan-
erk, Selkirk.
45. Remitted to the annual committee to give directions for payment by unfree traders of their proportion of 40s. in the tax roll. Unfree traders
46. Remitted to the annual committee petition from the burgh of Eymouth complaining of their proportion of the tax roll for their unfree trade. Eymouth,
unfree trade.
47. Remitted to the annual committee petition from Crawfoord Dyke complaining of their decay of trade since their accepting of a proportion with the town of Greenock for their communication of trade in which they were included. Crawfoord
Dyke.
48. Annual committee appointed. Annual
committee
appointed.
49. James Smyth, merchant, and late bailie of St Andrews, having presented the convention with a book dedicated to them intituled *The Exact Dealers Companion*, the convention appoint their agent to pay to the said James Smyth ten pounds sterling of gratuity for composing and printing thereof. James Smyth,
£10, "Exact
Dealer's com-
panion."
50. Appointed a committee to visit the burgh of Fortrose and report its condition to the annual committee who were empowered to grant such relief as they should think just. Fortrose.
51. Appointed the agent to pay certain salaries and gratuities. Salaries and
gratuities.
52. Dissolved the present convention and appointed the next to be held at Edinburgh on the first Tuesday of July 1728. Convention
dissolved.

MEETINGS OF THE ANNUAL COMMITTEE *held at* EDINBURGH.

26 July 1727.

- Edinburgh, Patrick Lindsay ; Ayr, Robert Wallace ; Kirkaldie, Andrew Hay ; Inverness, Mr Duncan Forbes ; Irving, John Din ; Banf, Mr George Ogilvie ; North Berwick, Sir Robert Dalrymple ; Cullen, Mr John Philp ; Dingwall, John Jollie ; Sanquhar, George Irving ; Queensferry, James Hunter ; Inverary, James Nimmo ; Stranraer, Mr Hugh Dalrymple. EDINBURGH.
26 July 1727.
Sederunt.
1. George Drummond, lord provost of Edinburgh, elected preses. Preses.

EDINBURGH.
26 July 1727.

Members
qualified.

Secretary to
commissioners
on public
funds.

2. Patrick Lindsay, commissioner for Edinburgh, and Mr Duncan Forbes, his Majesty's advocate, assessor for Inverness, qualified themselves to his Majesty by taking the oaths.

3. Referring to the 29th act of last convention as to clerks and other servants to be employed by the commissioners and trustees named for applying the public funds appropriated for encouraging the fisheries and other manufactures in Scotland and "understanding that by the letters patents there is no express power given to the said commissioners and trustees to make such choise of a secretary or clerks and thereby that the same belongs to the royal burrows by reason that they have subjected themselves to pay the sallarys which are to be given to such officers," the committee elected David Flint, merchant in Edinburgh, to be secretary to the commissioners, with a salary of £60 sterling.

15 August 1727.

Sederunt.

Edinburgh, Patrick Lindsay ; Stirling, Collonell John Erskin ; St Andrews, William Forbes ; Rothesay, Mr Patrick Campbell of Munzie ; Stranraer, Mr Hugh Dalrymple.

Preses.

Complaint
against Black
and Mortimer,
Dysert.

1. Patrick Lindsay, dean of guild of Edinburgh, elected preses.

2. There was presented a complaint in name of five of the managers for the burgh of Dysert complaining that notwithstanding their appointment by the annual committee John Black and John Mortimer had authorized stentmasters to levy stents and done other illegal things. The committee appointed Black and Mortimer and the pretended stentmasters with their collectors and others complained of to appear before the committee and answer the complaint on Tuesday next 22d instant.

22 August 1727.

Sederunt.

Edinburgh, John Ferguson ; St Andrews, William Forbes ; Innerkething, John Cant ; Irving, John Din ; Tain, George, master of Ross ; Cullen, Mr John Philp ; Dingwall, John Jolly ; Queensferry, James Hunter.

Preses chosen.

Black and
others in
Dysert sus-
pended of their
burgesship.

1. John Ferguson, commissioner for Edinburgh, elected preses.

2. In absence of the parties complained against and after proof the committee found the complaint referred to in the preceding minute proven. The committee therefore adhered to their former sentence of 7th March last and suspended the whole other defenders from the exercise of the privileges of burgesses of Dysert for one year, reserving to the complainers actions against the defenders for repetition of the cess imposed by them.

Banf.

3. Appointed the agent to concur with the burgh of Banf in their several law suits against the laird of Braco.

31 August 1727.

Edinburgh, Patrick Lindsay ; Inverness, Mr Duncan Forbes ; Irving, John Din ; Tain, George, master of Ross ; Inverary, James Nimmo ; Stranraer, Mr Hugh Dalrymple.

EDINBURGH.
31 August
1727.
Sederunt.

1. George Drummond, lord provost of Edinburgh, elected preses.

Preses.

2, 3. On reports by the committee appointed to visit the following burghs the agent was appointed to pay to Fortrose £100 Scots and to Whithorn £6 sterling "in respect of the low circumstances" of these burghs.

Fortrose,
Whithorn.

18 October 1727.

Edinburgh, Patrick Lindsay ; St Andrews, William Forbes ; Irving, John Din ; Selkirk, William Waugh ; Cullen, Mr George Ogilvie ; Annan, Mr Charles Erskin ; Sanquhar, George Irving ; Dingwall, Alexander Jollie.

Sederunt.

Preses.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses.

2. There was presented to the annual committee a petition for Mr George Smollet, present provost of the town of Dumbarton, for himself and in name of the other magistrats of the said burgh setting furth that albeit they were legally elected to the offices of provost, baillies and councillors of the said burgh, within the town house thereof upon the anniversary or usual day of election, yet that William Buntine, late baillie of Dumbarton, Alexander Weir, late dean of guild, William Straquair, late thesaurer, David Weir, William Laing, and Alexander Weir, councillors, and others their adherents, having withdrawn from the said common councill house had taken upon them to make the form of ane election of magistrats and councill in a change house, and which pretended magistrats have attempted to doe and execut acts of administration in contempt of the authority of the legal magistrats and to the disturbance of the publick peace of the burgh, and therefore craveing that the annual committee would provide such suteable remedy as they should think fitt. Which being considered by the committee they appoint the forenamed persons complained of, with their adherents, to be summoned to attend the committee at the burrows rume in Edinburgh upon Friday the twenty seventh of October instant [to answer the complaint].

Complaint
against inhabi-
tants of
Dumbarton.

27 October 1727.

EDINBURGH.
27 October
1727.

Sederunt.

Edinburgh, Patrick Lindsay ; St Andrews, William Forbes ; Elgin, William Forbes ; Irving, John Din ; Banf, Mr George Ogilvie ; Rothesay, Lord Munzie ; Dingwall, Alexander Jolly ; Annan, Mr Charles Erskin.

Preses.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses.

Complaint
against inhabi-
tants of
Dumbarton.

2. Allowed the defenders to see the complaint mentioned in the preceding minute, and assigned Friday 3d November for giving in answers thereto.

3 November 1727.

Sederunt.

Edinburgh, Patrick Lindsay ; St Andrews, William Forbes, Irving, John Din ; North Berwick, Sir Robert Dalrymple ; Craill, John Lumsdean ; Banf, Mr George Ogilvie ; Forres, Mr Duncan Urquhart ; Campbletoun, John Campbell.

Preses.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses.

Complaint
against inhabi-
tants of
Dumbarton.

2. On the complaint mentioned in the minute of 18th October being read there was given in a writing subscribed by the defenders "whereby they declined the jurisdiction and authority of the honorable convention of burrows and their annual committee," whereupon the committee delayed the farther consideration of the complaint till Monday 6th instant.

6 November 1727.

Sederunt.

Edinburgh, John Ferguson ; Ayr, Robert Wallace ; Irving, John Din ; Selkirk, William Wauch ; Forres, Mr Duncan Urquhart ; Campleton, John Campbell.

Preses.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses.

Agent to
concur with
magistrats of
Dumbarton
against
William
Buntine and
others.

2. The complaint at the instance of Mr George Smollet of Inglistoun, present provost of Dumbarton, for himself and in name of the other magistrats and council of the said burgh against William Buntine and others his adherents with the minuts of the last sederunt being read, and the said partys being called compeared the said Mr George Smollet and exhibited [(1) extract sett and constitution of the burgh dated 2d March 1682, (2) extract under the hand of Archibald Cook, present clerk of the burgh dated 29th September last bearing how he and the other magistrats and councillors were that day elected for the ensuing year, and (3) instrument under the hand of Archibald Cook dated the same day bearing

that Smollet in name of the councill required Buntine and others complained of to continue in the town house and join with the common council in the election which they refused to do], all which being read in presence of the committee the said Mr George Smollet did, for himself and other magistrats and councill of the said burgh so legally chosen, offer to submit all contraversies relating to the said election to the annual committee agreeable to the act of the convention for preventing of litigious and expensive lawsuits anent contraversies within burgh; which being considered by the committee they find that the complainers were duely and regularly elected to their said several offices for the ensueing year in the manner directed by the forsaid sett and in respect of the declinator given in by the defenders last sederunt, and that this day they failed to appear and give in any answers to the forsaid complaint, therefor the annual committee grant warrand to and appoint their agent to concurr with the complainers in any proces that is already or may hereafter be raised for supporting them in the legall execution of their said offices and to defend in any proces that is or may be raised for disturbing them in the peaceable possession thereof; and in regaurd that by the low circumstances of the said burgh the magistrats are not able to defray the expence of a lawsuit out of the common good of the said burgh therefor the annual committee doe humbly recommend to the annual convention to give them such aid and support as they shall see necessary to enable them to bring the said lawsuit to a speedy issue.

EDINBURGH.
6 November
1727.

Agent to
concurr with
magistrats of
Dumbarton
against
William Bun-
tine and
others.

10 November 1727.

Edinburgh, Patrick Lindsay, preses; St Andrews, William Forbes; Sederunt. Selkirk, William Wauch; Cullen, Mr George Ogilvie; Sanquhar, George Irving; Dingwall, Alexander Jolly.

There was presented to the annual committee by Mr William Carmichael, James Nimmo, Robert Craig, and Andrew Marjoribanks, a quorum of the manadgers of the copartnary of freemen burgesses for carrying on a fishing trade, ane order or appointment of the general meeting of the said copartnery [held in the parliament house in Edinburgh on Tuesday 11th July 1727 at three o'clock afternoon], whereof the tenor follows:—"Ordered that the managers use their best endeavours for the

Act anent the
lands and
superioritys of
Peterhead and
Stonhyve.

EDINBURGH.
10 November
1727. — — —
Act anent the
lands and
superioritys of
Peterhead and
Stonhyve.

obtaining the lands of Peterhead and Stonehyve sold and for that end that a sale thereof be advertised twice in the year, viz., in the second week of January and the second week of July, and for the encouragement of purchasers the lands be set up at any rate of years purchas the manadgers shall think propper, the same always not being under fifteen years purchas of the free rent. Ordered that how soon such sale shall be made and the price paid a final dividend be appointed by the managers of all the copartneries effects. Ordered that after such final dividend to the copartners all the moneys which shall remain uncalled for by any of the adventurers, both of the first dividend already and the other dividends to be made, shall within sex moneths at furdest after appointment of the said last dividend be lodged and deposited in one or other of the hospitalls within the city of Edinburgh in being for the time, or in the infirmary for poor sick people to be sett up within the said city, to lye in the hands of the said hospitall or infirmary free from payment of intrest, and the said hospitall or infirmary to be oblidge to pay out the same when called for to such of the copartners or other persons who shall be legally intituled thereto; and that there be given in to the said hospital or infirmary with the said moneys ane exact accompt of the copartners names who shall not then have received their dividends and of the sums due to each of them respectively. Ordered that the said hospital or infirmary be named by a general meeting of the royal burrows or their committee for the time with consent of the said managers or their quorum." Which haveing been by order read the said Mr William Carmichaell acquainted the preses of the committee that the managers of the copartnery having duely considered the said order of the general meeting were of oppinion that it would be ane encouragement to the said hospitals or infirmary to purchas and would tend to the benefit of the copartnery if the said moneys were ordered to be lodged or deposited in the hands of such of the hospitals of the city of Edinburgh or above mentioned infirmary as shall purchas the said lands of Peterhead and Stonehyve; which being fully considered by the said committee they with consent of the said quorum of the managers of the copartnery have ordered and appointed and hereby unanimously order and appoint the said moneys which shall remain uncalled for by the adventurers in the forsaid copartnery after elapsing of six months at furthest

after the appointment for the last dividend, be lodged and deposited in the hands of such of the hospitalls within the city of Edinburgh or above-mentioned infirmery for poor sick people as shall be purchasers of the lands and superiorities of Peterhead and Stonehyve now belonging to the said copartnery and shortly to be exposed to roup, and that free of interest untill the same shall be called for by such of the copartners or other persons who shall be legally intituled thereto in the terms of the above mentioned act of the general meeting of the said copartnery.

EDINBURGH.
10 November
1727.
Act anent the
lands and
superioritys of
Peterhead and
Stonhyve.

23 November 1727.

Edinburgh, Patrick Lindsay ; St Andrews, William Douglas ; Innerkeithing, Sederunt. John Cant ; Irving, John Din ; Selkirk, William Wauch ; Dumbarton, Mr Mr George Smollet ; Dumbar, James Fall ; North Berwick, Sir Robert Dalrymple ; Sanquhar, George Irving ; Queensferry, James Hunter ; Inverary, James Nimmo.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses. Preses.

2. The committee upon application made to them by the magistrats of Edinburgh appoint their agent to concur with the said magistrats in a lawsuit now depending before the lords of session for supporting the rights and priviledges of the said burgh against Anthony Astoun and his company of comedians.

Agent to
concur with
Edinburgh ;
comedians.

3. The committee upon application made to them for the magistrats of Glasgow appoint their agent to concur with the said magistrats in a lawsuit now depending before the lords of session against the officers of the regiments quartered in the said burgh anent their manner of quartering.

Agent to
concur with
Glasgow.

11 January 1728.

Edinburgh, Patrick Lindsay ; Stirling, Collonell John Erskin ; St Andrews, Sederunt. William Forbes ; Selkirk, William Wauch ; Irving, John Din ; Craill, John Lumsdean ; Cullen, Mr John Philp ; Kilrenny, Mr David Bethune ; Queensferry, James Hunter ; Stranraer, Mr Hugh Dalrymple.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses. Preses.

EDINBURGH.
11 January
1728.
Dysert.

2. On the petition of the town council of Dysert the committee instructed the clerks to deliver up to them the bond granted by John Black and others for the common good set by them when they had usurped the magistracy in the burgh. The committee farther instructed certain commissioners to meet at Dysert on the first Tuesday of February and concur with the magistrates in calling John Black and others to account.

Committee to
consider the
burrows right
to unfree
trade.

3. The commissioner for the burgh of Stranraer represented that the convention having assigned to the said burgh the unfree trade in the neighbourhead thereof, and they having prosecute some of the unfree traders the matter was brought before the lords of session who by an interlocutor have found that there was no penaltys could be inflicted upon unfree traders unless there was an actual apprehension of the goods imported by the said unfree traders, which interlocutor seemed to strick at the right which the royal burrows have of claiming ten pound of the hundred from the unfree traders for their communication of trade ; which being considered by the committee they appoint the commissioners for the burghs of Craill, Stranraer and Kilrenny, or any two of them, as a committee to consider the rights of the royal burrows with relation to the forsaid ten pounds due by the unfree traders and to report their oppinion what may be most propper for making the same effectual.

Manufacturers
warrant.

4. Appointed the agent to pay out of the sum allowed by the 29th act of last convention £23, 11s., being "fees due to Mr Filson and Mr Burnberry for the manufacturers warrant," with £2, 2s. to Mr William Fane at London "for his pains."

Craill,

5. The commissioner for Craill conform to the 19th act of last general convention produced a state of the common good and debts of the burghs. The committee delayed its farther consideration "untill a more frequent meeting of the committee."

10 February 1728.

Sederunt.

Edinburgh, Patrick Lindsay ; Selkirk, William Wauch ; Forress, Duncan Urquhart ; North Berwick, Sir Robert Dalrymple ; Kilrenny, Mr David Bethune ; Craill, John Lumsdean ; Dingwall, Alexander Jollie ; Queensferry, James Huntar ; Inverarie, James Nimmo ; Stranraer, Mr Hugh Dalrymple.

Preses chosen.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses.

Proceedings of
trustees for
manufactures,
&c.

2. David Flint, secretary to the commissioners and trustees for managing the funds appointed for encouraging fisheries and manufactures delivered, accord-

ing to the order of the commissioners, a copy of the report of proceedings of the preceding year laid before his Majesty. This report was put into the clerk's hands for perusal by members till next general convention.

EDINBURGH.
10 February
1728.

12 April 1728.

Edinburgh, Patrick Lindsay ; St Andrews, William Forbes ; Irving, John Sederunt.
Din ; Dunbarton, George Smollet ; Elgin, William Forbes ; Forress, Mr Duncan
Urquhart ; Sanquhar, Georg Irving ; Dingwall, Alexander Jolly.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses.

Preses.

2. The agent acquainted the committee that the receiver general had caused intimat his orders for quartering upon the royal burrows for what bygone cess is due by the unfree traders in the burghs of barrony and regality for the fourty shilling of the tax roll laid upon them, that at stating his last account of unfree trade and missive dues there was a considerable ballance due by the burrows to him soe that he had no fund in his hand for payment of the said bygone cess, and that there being now a general stop of credit no money can be gott to borrow for answering the said demand ; which being considered by the committee they appoint the commissioners for Edinburgh and Sanquhar to wait on the general receiver and acquaint him that they will lay his demand for the bygone cess of the unfree trade before the general convention at their meeting in July next that ane effectual course may be taken for paying up the same, and upon his removeing his said order of quartering and advanceing the same himself to the use of the publick to assure him that the committee will accept of it as a favour done to the royal burrows and that the royal burrows will at least make good the loss which he shall sustain by such advancement ; and the committee appoint their agent to lay before them at their next meeting the state of the unfree trade and who are deficient in payment of their proportions of the fourty shilling laid upon the unfree trade and who have been distressed by quartering and who not.

Act anent the
cess of unfree
traders.

3. The preses acquainted the committee that he intended in fourteen days or thereby to goe to Campheer and present his commission as conservator of the priviledges of the Scots nation in the Netherlands and that he understood by letters from that place that the keeper of the Scots house at Campheer had deceased some time ago and unless timely supplied it would be a considerable loss to those of the Scots nation

Keeper of
conserjary
house at
Campshire.

EDINBURGH.
12 April 1728.

Keeper of
conserjary
house at
Camphire.

repairing to and resideing in that town, and that John Beggs, a Scotsman, who now keeps a publick house at Rotterdam, was recommended to his lordship as a fitt person for supplying that vacancy; which being considered by the committee they authorize and impower the conservator to grant commission to the said John Beggs, or any other person he shall find well qualified, to be keeper of conserjary house at Camphire dureing the burrows pleasure and to take caution for his good behaviour therein as use is and to report the same to the next general convention for their approbation; and the committee appoint the dean of gild of Edinburgh and the commissioner for Sanquhar to draw up the draught of a letter from the committee to the magistrats of Camphere on the occassion of the conservators going to that place.

24 April 1728.

Sederunt.

Edinburgh, Patrick Lindsay; St Andrews, William Forbes; Dumbar, William Fall; Irving, John Din; Craill, John Lumsdean; Cullen, Mr John Philp; Sanquhar, George Irving; Dingwall, Alexander Jollie.

Preses.

Craill, £20.

1. The commissioner for Edinburgh elected preses.

2. Having considered report of visitors to Craill and state of the common good the committee appointed the agent to pay £20 sterling to be applied towards the repair of their pier and harbour at the sight of the burghs of Kilrenny and Anstruther Easter.

Letter to the
magistrats of
Camphire.

3. The commissioners for the burghs of Edinburgh and Sanquhar [presented the following draught of a letter to the magistrates of Campvere, which was approved of]:—Right honourable,—We are commanded by the general convention of royal burrows to acquaint yow that Archibald M'Aulay, esquire, is appointed conservator of the Scots priveledges in the Netherlands both by the King and by the royal burrows. We apprehend that all the matters concerning the staple are in the utmost disorder and we doe assure you that the royal burrows will exert themselves to rectify the same and to doe everything necessary to the performance of the staple contract according to the genuine meaning of the partys therein contracting and we are perswaded that on your part nothing will be wanting to foreward ane inviolable observance of our reciprocal engagements. If the staple contract can admit of any addition or variation to

our mutual benefit it shall be frankly acceded to on our part and the conservator (in whom deservedly we have the firmest confidence) has it in charge to conferr with yow touching the same. It is with pleasure we can tell you that from the consumat qualifications of the gentleman who now holds the office of conservator the affairs of the staple will be conducted so as to give full contentment to both partys. The demise of our late most gracious Sovereign and the choise of Mr M'Aulay to the office of lord provost of this city made it necessary for us to detain him here till this time. We have recommended to him to despatch all his matters at Camphere soe as his return may be before the end of June by reason there is a general convention to be holden here on the first Tuesday of July which makes his presence as lord provost of Edinburgh indispensibly needfull both for the common concerns of this country and for forwarding the matters concerning the staple. We commend yow, [etc.].
Edinburgh 24th April 1728.

EDINBURGH.
24 April 1728.
Letter to the
magistrats of
Camphire.

4. The conservator acquainted the committee that as he intended to goe forthwith to Camphere and to put the affairs of the staple in the best order possible soe he resolved to make als speedy a return as could be, at least before sitting of the next general convention, and that the concerns of the staple should not suffer by his absence or thereafter fall into disorder he had thought propper to make choise of a deput to reside at that town and for that end had given commission to Mr Charles Stewart, lawfull son to the deceast collonell James Stewart, late deputy governour of the castle of Edinburgh, to be conservator deput and presented the said commission to the committee, which commission being read the committee approve thereof.

Commission to
conservator
depute.

5. Referring to the 29th act of last general convention, and it being represented that David Flint, secretary to the Fisheries and Manufactures Trustees, "is considerably in advance for the postage of letters, printings and other incidents of the said office," the committee appointed the agent to pay him the sum of £130 mentioned in said act whereof £80 to be for salary and £50 in payment *pro tanto* of incidents for which he shall account to the convention.

Agent to pay
to David Flint
£130.

6. In consequence of the sum of £130 being required for the purposes mentioned in the preceding act the committee directed the sum of £25, 13s. authorised to be paid by the minute of 11th January to be paid out of missive dues.

Expenses of
manufacturers
warrant.

GENERAL CONVENTION *held at* EDINBURGH.

EDINBURGH.
2 July 1728.
Sederunt.

Edinburgh, Patrick Lindsay and David Mitchel ; Pearth, Robert Robertson ; Dundee, Alexander Ferrier ; Aberdeen, William Cruikshanks ; Stirling, James Littlejohn ; Linlithgow, Thomas Ronald ; St Andrews, William Douglas ; Glasgow, Peter Murdoch ; Air, James Montgomery ; Haddington, Alexander M'Aulay ; Dysert, James Abercrombie ; Kirkaldie, Andrew Key ; Montrose, James Coutts ; Coupar, Thomas Greig ; Anstruther Easter, Sir John Anstruther ; Dumfreise, John Irving ; Inverness, John Forbes ; Bruntisland, George Thomson ; Innerkeithing, Henry Cunningham ; Kinghorn, Mr Alexander Leslie ; Brechin, Robert Whyte ; Irving, William M'Taggart ; Jedburgh, John Smyth ; Kirkudbright, William Gordon ; Wigtoun, Patrick Agnew ; Pittenween, Robert Borthwick ; Dumfermling, William Stevenson ; Anstruther Wester, Mr Philip Anstruther ; Selkirk, John Pringle ; Dumbarton, Mr George Smollet ; Renfrew, Mr John Cochran ; Dumbar, Capt. James Fall ; Lanark, John Russell ; Aberbrothock, John Wallace ; Elgine, William Forbes ; Peebles, John Ramadge ; Craill, Mr John Lumsdean ; Culross, George Gray ; Banf, Mr George Ogilvie ; Whithorn, William Agnew ; Forfar, Alexander Binning ; Rothesay, George Drummond ; Forress, Duncan Urquhart ; Ruthglen, David Scott ; North Berwick, Sir Robert rymple ; Cullen, Mr John Philp ; Lauder, John Moffet ; Kilrenny, Mr David Bethune ; Annan, Bryce Blair ; Lochmaben, Robert Robertson ; Sanquhar, George Irving ; New Galloway, William Veitch ; Dornock, Mr Robert Gordon ; Queensferry, James Hunter ; Fortrose, John Baillie ; Kintoir, Mr Robert Bruce ; Inverurie, Alexander Thain ; Inverary, James Nimmo ; Wick, Patrick Dunbar ; Stranraer, Mr Hugh Dalrymple ; Campbeltoun, Alexander Fraser ; [five burrows *blank*].

2 July 1728.

Preses.
Committee
appointed to
revise com-
missions.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses.
2. Appointed a committee to revise the commissions.

3 July 1728.

Commissions
approven.

3. Approved of report by the committee and of the commissions therein mentioned.

Letter from
Camphere.

4. Commissions from other four burghs heard and approved of.
5. There was presented a letter from the magistrats of Camphere, which being in the Dutch language they recommend to the clerk to procure a translation thereof to be laid before the convention.

6. Appointed George Hill, late bailie of Queensferry, to appear on 5th instant and answer a complaint of the magistrats against him of "having introduced with the revenue of the said burgh in the years of his office." EDINBURGH.
3 July 1728.
Complaint,
Queensferry.
Missive.
7. Remitted consideration of the missive to a committee.

4 July 1728.

8. Having heard a translation of the letter from the magistrates of Camphere, the convention remitted to a committee to answer the letter and consider the state of the staple and report. Letter from
Camphere.

9. Approved of report on the missive and continued certain articles to next missive. Reports on
missive.

10. Remitted to a committee memorial from the fisheries and manufactures trustees and to bring in the draught of an act anent the fisherys and manufactures and herrings caught in the coast fishery "to be transmitt to the several royal burrows that the magistrats thereof may enforce the due observance of the same." Anent fisherys
and manufac-
tures.

11. The convention having unanimously agreed that the tax roll should be altered remitted to a committee to consider the condition of the whole royal burghs and to proportion the tax roll accordingly. Committee to
proportion tax
roll.

12. Remitted to the committee on the tax roll to consider reports as to Dysert, Bruntisland, Dumbar, Brechin and Queensferry. Report on
several burghs.

13. Mr George Smollet, advocat, agent to the royal burrows, gave in a demission of his said office of agent, which being read the convention accepted thereof and appointed their preses to return him the hearty thanks of the convention for his long and faithfull service in that office which was done accordingly. George
Smollet de-
mitted his office
of agent.

14. The convention considering that the office of agent to the royal burrows is now vacant by the demission of Mr George Smollet, advocat, and being satisfyed of the dilligence and abilitys of George Irving, wryter to the signet, for supplying the said vacancy, doe unanimously elect nominat and choise the said George Irving to be agent to the royal burrows, givinge and granting to him the same fees and sallarys in use to be payed to his prediccissor and all other emoluments of his said office. George Irving
chosen agent.

15. Remitted to a committee "to consider the state of George Smollet's accounts." George
Smollet's
accounts.

16. Approved of the whole proceedings of the annual committee. Annual
committee's
proceedings
approven.

6 July 1728.

EDINBURGH.
6 July 1728.Commissions
approven.
Act anent
curing and
packing her-
rings;
bleaching,
manufactures.

17. Approved of commissions from Anstruther Wester and Inverary.

18. The convention ordained the magistrates of royal burghs to put to punctual execution (1) the laws touching the curing and packing of herrings; (2) the act of parliament 13 King George I. for the better regulation of the linen and hempen manufactures; and (3) the act of parliament 7 King George I. intituled ane act to preserve and encourage the woollen and silken manufactures in this kingdom and for more effectual employing the poor by prohibiting the use and wear of all printed, painted, stained or dyed calligoes in apparel, household stuff, furniture and otherwise.

Letter to
magistrats of
Camphere.

19. The convention appointed to draw up the draught of ane answer to the letter from the magistrats of Camphere presented the [following which was approved of:—] Right Honourable,—We have the honour of yours of the 19th of June last past and the conservator did lay before us a full and distinct memorial containing certain reasons why the trade of the staple is so much decayed and we are thereby convinced that this decay has arisen from the badness and insufficiency of the staple goods, occasioned by the neglect of executing the laws made to prevent such abuses and from our merchants disfrequenting your port which as they pretend is partly caused by their wanting ane opportunity of provydeing goods in Zealand propper for their return. Wee most sincerely intend that the staple contract be fully and punctually observed and will what in us lyes doe every thing that is incumbent on our part to compass the same. Wee have revived ane ordinance made by us the tenth of July 1724 touching the detecting and prosecuting offenders against the staple and will use all means practicable to have the laws made to prevent frauds and abuses in the manufacturing of staple goods put to rigorous execution, and if these laws are not effectual wee will doe our outmost endeavours to have them explained and amended in parliament and particularly to have the observance of the staple contract enforced whereby wee are hopefull such manufactures will rise in their value and regain their credit in forreign mercats which must tend to the benefit of the staple port; and as a furder encouragement thereto we have restricted the duty upon staple goods payable to the conservator to a half per cent. and from these and the conservators endeavours we cannot but promise ourselves yet to see the real and wisht for effect of the staple contract and that Campvere will

hereafter be in reality the staple port. We recommend yow, [etc.]
Edinburgh 6th July 1728.

EDINBURGH.
6 July 1728.

20. The committee appointed to consider the staple and the condition of the staple port having had under their consideration the staple contract and amplifications therein made with a letter from the magistrats of Camphere thereanent and a memorial from the conservator containing the reasons why the aforesaid contract has not been observed for several years past and containing the advantages that might arise to the royal burrows from the punctual observance thereof, reported that they were of oppinion that the observance of the staple contract will tend to the benefit of this country and that the offences against the same ought to be prosecuted according to the act of the general convention holden on the tenth of July j^m vij^e and twenty four, and in particular the committee observed that the decay of our trade in the Netherlands touching staple goods arises in a great measure from the badness and insufficiency of the same which is occasioned by the not executing the laws made for preventing abuses of that kind, and therefor that it well deserved the consideration of the convention how such abuses might be prevented by a punctual and rigorous execution of these laws, and that from a perusal of the records it appeared to the committee that in order to support the character of conservator in the Netherlands a sum of three hundred pounds sterling annually was thought necessary, and for raising thereof to the conservator such a duty was imposed on the staple goods as was thought sufficient to afford the same, and that by the above in part recited act of convention the said duty is fixed to one per cent. The committee were of oppinion that was the aforesaid duty restricted to a half per cent. it might tend to the encouragement of the staple trade and therefor that the same ought to be restricted accordingly; and in regaurd that by such a restriction it appeared to the committee that the aforesaid duty would not probably yield annually more as fifty pounds sterling which was far from being a fund sufficient to support the dignity of a conservator and enable him to keep a deput at Camphere, therefor that there should be a sum certain not exceeding fifty pounds sterling annually payed by the agent to the conservator ay and while the produce of the said duty of a half per cent. shall exceed fifty pounds sterling annually, and in proportion to such excess that the said annual sum of fifty pounds to be payed by the burrows certain

Act anent the
staple contract
&c.

EDINBURGH.
6 July 1728.

Act anent the
staple contract,
&c.

should be diminished and for that end that the conservator or his deput ought to keep a regular accompt of the produce of the aforesaid duty to be laid before the convention annually in the moneth of July, and that the above allowance to the conservator ought to be declaired in full satisfaction to him from the burrows for supporting his dignity and for enableing him to keep a deput. And the committee having likeways considered ane act of the general convention dated the fourth of November j^m vij^e and twenty sex granting to the conservator only one hundred pounds sterling toward defraying his expence to Camphere and that the allowances usually given by the burrows in such a case doe far exceed that sum, therefor the committee were of oppinion that the convention ought to give him one hundred pound sterling more in full of his said expence. Which being considered by the convention they unanimously approved of the said report and appoint their agent to pay to the conservator the forsaid sum of one hundred pounds sterling in full of his expences in going to Camphere and hereby restrict the duty of one per cent. on staple goods payable to the conservator to a half per cent. and appoint their agent to pay to the conservator the sum of fifty pounds sterling annually in lieu of the said other half in the terms of the report.

Proceedings of
trustees for
manufactures.

21. The report of the proceedings of the commissioners and trustees appointed by his Majesty for improveing the fisherys and manufactures for the year preceeding being read in presence of thé convention they declaired their verry great satisfaction therewith and appointed the same to lye in the clerks hands for the perusal of the members.

Petitions
remitted to
committee

22. The convention having heard a petition from the burgh of Pittenweem anent the ratification of a heritable bond granted by the said burgh, ane petition from the burgh of Annan craving liberty to few some of the outfield ground belonging to the said burgh, and a petition from the Burgh of Culross craving the aid of the convention for repairing their harbour, they remit the said several petitions to the committee on the agents accompts to consider the same and report.

Act anent the
coal trade from
Britain to
Ireland.

23. The convention considering that several acts have been made in the parliament of Ireland touching certain regulations in the British coal trade which they humbly apprehend are verry hurtfull to the importers of coall from Great Britain into Ireland, and particularly that if any master or owner of a ship, gabert or lighter, should keed his coalls

above ten working days if the vessell be above fourty tuns or eight days if under, on board such vessell at the keys, he should forfeit fourty shillings sterling per diem, that if the gaberts or lighters lye in any other part of the river the lord mayor and magistrats of Dublin may cause them to be brought to the keys and the coalls to be sold for the best pryce that can be gott for the same, that the lord mayor and magistrats are impowered to enter all yeards, sellars and warehouses, and sell the coalls laid up there for sale at such prices as they think reasonable with ane appeal in this instance only to the governour and councill; and the convention considering also that attempts have been made to have had his Majestys royal approbation to such laws, therefor they doe hereby appoint William Hamilton, esquire, their agent at London to advert from time to time when any such law shall be again laid before his Majesty in order to have his royal approbation, and in the most dutifull and respectful manner, by petition in behalf of the royal burrows of Scotland, to represent and sett furth to his Majesty the great hurt and damage that would arise to his subjects of Great Britain from such a law, and therefor humbly to pray that his Majesty would be graciously pleased to dismiss the same and that he would never grant any powers or priviledges to the city of Dublin or Irland that might be hurtfull to the coal trade from Great Brittain to Ireland; and the convention hereby grant full power to the said Mr William Hamilton to doe every thing touching the premises which they could lawfully doe themselves.

EDINBURGH.
6 July 1728.
Act anent the
coal trade from
Britain to
Ireland.

24. Appointed the agent to advance what money shall be necessary "for following out the aforesaid commission granted to their agent at London."

Expenses of
agent at
London.

8 July 1728.

25. Find that George Smollet in his account of intronissions with unfree trade from July 1727 to July 1728 charges himself with £632, 19s. 10d. Scots and that his payments amount to £468, 12s. 6d. leaving a balance due by him of £164, 7s. 4d. The committe to whom the accounts were remitted reported a state of the respective balances due by the several burghs of barony and regality who have compounded or are rated for the communication of the privilege of trade, amounting to £15,038, 15s. 8½d. Scots, and the convention instructed George Irving, their agent, to use speedy diligence for recovering the balances. The convention also remitted to the annual committee to "use all endeavours to restrain all persons who have not compounded for the communication of trade from the use and exercise thereof," and the committee was further empowered

Agent's ac-
countts of
unfree trade.

EDINBURGH.
8 July 1728.

Rests given up
by George
Smollet to his
successor.

either to borrow on the credit of the burghs £421, 0s. 10d. sterling due to the receiver general or to deal with the deputy receiver to advance the same giving him £30 sterling for the advance. The following is the list of balances due by the several towns to the royal burghs on account of the communication of trade till 24 June 1728:—Weems, £411, 10s. 6d.; Greenock, £941, 18s. 4d.; Frazerburgh, £357, 12s.; Falkirk, £816, 0s. 9d.; Kelsoe, £1702, 1s.; Leven, £176, 6s. 8d.; Kilmarnock, £286, 6s. 8d.; Dalkeith, £1158, 0s. 1d.; Down, £291, 5s. 4½d.; Dunnikeir, £88, 3s. 4d.; Linktown of Kirkaldie, £88, 3s. 8d.; Borroustouness, £825, 17s. 4d.; Prestounpans, £1057, 6s. 5d.; Peterhead, £254, 0s. 11½d.; Stonehyve, £176, 6s. 8d.; Caldstream, £317, 19s. 7½d.; Eli, £57, 16s. 0½d.; Duncce, £819, 12s. 2d.; Old Meldrum, £373, 19s. 6¼d.; Killimuir, £1117, 12s.; Keith, £430, 9s. 7½d.; Fymouth, £525, 1s.; Kilwinning, £59, 5s. 10½d.; Allaway, £671, 12s. 8d.; Airth and others, £258, 19s. 6d.; Portsoy, £519, 8s. 0¼d.; Turriff, £405, 1s. 4½d.; St Ninians, £184, 3s. 9½d.; Salt Coats, £434, 15s. 4d.; Cockeny, £232, 6s. 4d.; Summa, £15,038, 15s. 8½d.

George
Smollet's ac-
counts of
missive ap-
proven.

26. Found that George Smollet, late agent, in his account of missive dues charges himself with £16,000 Scots of missive dues from July 1727 to July 1728 and with £164, 7s. 4d. as the balance due on his accounts of unfree trade, and that his discharge (including £1059, 10s. 2d. due to him last year) amounts to £12,952, 7s. 8d. Scots, leaving a balance due by him of £3211, 19s. 8d. Scots. "And in consideration of his long and faithful service to the burrows the committee were of opinion that the convention should give him a complement of one hundred guineas and that he should give bond to their present agent for the remainder of the said balance, being £1951, 19s. 8d. Scots payable at the first of July next with annual rent from the date." The committee having also examined the account of David Flint, secretary to the trustees for improving fisheries and manufactures, for the sum of £130 sterling paid him, found there was a balance in his hand of £9, 7s. 9d. sterling for which he is to give credit in next account; and the committee were of opinion that for the ensuing year there should be paid him only £100 sterling towards his own and assistant's salaries and incidents.

27. The committee appointed to proportion the tax roll "having maturely considered and examined the respective state and condition of every one of the royall burrows were unanimously of oppinion that the tax roll should be proportioned amongst the royal burrows for what term of years the convention should determine in manner following:—"

	Proportions of Tax Roll.	Proportions of £2.*		Proportions of Tax Roll.	Proportions of £2.*
Edinburgh .	£34 10 0	...	Aberdeen .	6 1 0	...
Pearth .	3 8 0	...	Stirling .	1 8 0	9 18 4
Dundee .	4 10 0	31 17 6	Linlithgow .	1 3 0	8 2 11

* In this column are "the sums which the underwritten burrows are to pay for each moneths cess payable by the royal burrows on accountt of the tax roll."

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28-32. On report of committees appointed to visit and report upon the following burghs the convention (28) granted to Dysert £15 sterling to enable them to repair their pier on condition that their inhabitants will contribute the balance for effectually repairing it; (29) granted to Brechin £5 sterling to be applied for fencing their bleaching green from the Water Esk; (30) authorised the annual committee to give to Burntisland a sum not exceeding £15 sterling

Dysert,
Brechin,
Burntisland,
Queensferry,
Dumbar.

EDINBURGH.
8 July 1728.

Dysert,
Brechtin,
Bruntisland,
Queensferry,
Dumbar.

towards repairing their harbour, provided the inhabitants contribute the greatest part of the expense; (31) appointed the agent to concur with Queensferry in the process against George Hill, late bailie there, and to expend a sum not exceeding £12 sterling in prosecution thereof; (32) granted to Dumbar £20 sterling to enable them to carry on the reparation of their harbour "which when compleated would be of great advantage not only to the inhabitants but to all persons trading to the Firth of Forth."

Annan.

31a. Remitted to the burghs of Dumfreise and Sanquhar and Mr Charles Erskin, his Majesty's solicitor, to examine and report on application by the burgh of Annan for ratification of some feus of their burgh muir and power to feu more for payment of debt.

Pittenweem.

32a. Remitted to the annual committee petition from the burgh of Pittenweem and heritable bond therein mentioned.

Rothsay.

33. On petition from Rothsay, appointed a committee to visit the burgh "and report the case and condition thereof and of their trade, public works and common good."

Innerkeithing.

34. On petition from Innerkeithing, appointed a committee to visit the burgh "and report the case and condition thereof and of its harbour, common good and public works."

Allowance to
receiver
general for a
clerk.

35. On the representation of Mr Allan Whytefoord, deputy receiver, setting forth that the act for promoting fisheries and manufactures had caused work in his office which took up the time of one clerk for whom the convention had hitherto made no provision, they authorised the agent to pay to the deputy receiver £20 sterling as a yearly salary for his clerk.

9 July 1728.

Aberdeen.

36. Ratified tack by the burgh of Aberdeen to Thomas Burnet of Kirkhill of "the shoar lands" for 19 years; and appointed the same to be recorded in the convention record.

Unfree traders.

37. Continued burghs of barony and regality and other unfree traders who have accepted the communication of trade on same terms as formerly, till July 1730.

Dysert.

38. Appointed the agent to concur in prosecuting John Black and others to hold count and reckoning for their intromissions with the common good of Dysert, and authorised the annual committee to expend thereon a sum not exceeding £10 sterling.

Elgine.

39. On petition from the burgh of Elgine "shewing that they had been at considerable expence in building a harbour at Lossiemouth which would be of great advantage to all who trade in the Murray Firth," the convention remitted to a committee to visit and report.

40. A petition having been received from the town of Frazerburgh "shewing that the harbour of the said town was in danger of going to ruine which if it should happen would be to the great loss not only of the said town and country adjacent but also to the whole nation" the convention appointed a committee to visit and report.

EDINBURGH.
9 July 1728.
Frazerburgh.

41. Ordained the several burghs in arrear to pay to George Smollet, late agent, for missive dues to make payment under pain of horning.

Arrears of
missive dues.

42. Appointed the agent to pay to Mrs Ann Kennedy, daughter of the deceased Sir James Kennedy, sometime conservator, £7 sterling "for defraying the charges and expenses of her mother's funerall."

Mrs Anna
Kennedy, £7.

43. Remitted to the annual committee petition from the inhabitants of Crawford Dyke complaining of their inability to pay their proportion for the communication of trade.

Crawford Dyke.

44. Recommended to the several burghs who have not yet done so to contribute towards the building of the harbour of Aberbrothock.

Aberbrothoc.

45. Remitted to the annual committee "memorial from Alexander Brodie of Brodie, lyon king at arms, concerning the matriculating in his books such as bear arms or signs armorial."

Memoriall for
the lord lyon.

46. On the petition of Whithorn the convention granted warrant to that burgh to prosecute the whole unfree traders within the parishes of Pinningham and Kirkowan, and to agree with them for the communication of trade and to apply what shall be recovered to their relief.

Whithorn.

47. Remitted to the annual committee report anent the burgh of Stranraer.

Stranraer.

48. Granted warrant to the burgh of Aberdeen to prosecute such of the burghs of barony and regality and unfree traders within the shire of Aberdeen as have not formerly accepted of the communication of trade and to apply what shall be recovered for their relief in the tax roll.

Aberdeen.

49. Unlawed the burghs of Dingwall and Kirkwall each in £100 Scots for not sending commissioners to this convention.

Dingwall and
Kirkwall
unlawed.

50. The convention recommend to the several royal burrows that such as are to have commissions to the next annuall convention be cloathed in British wool and Scots linnen at their appearing in convention.

Commissioners
to be cloathed
in British wool
and Scots
linen.

51. Annual committee appointed.

Annual com-
mittee.

52. Appointed the agent to pay certain salaries and gratuities.

Sallarys and
gratuities.

53. Dissolved the present convention and appointed the next to be held at Edinburgh, beginning on the first Tuesday of July 1729.

Convention
dissolved.

MEETINGS OF ANNUAL COMMITTEE *held at* EDINBURGH.

10 July 1728.

EDINBURGH.
10 July 1728.
Sederunt.

Edinburgh, Patrick Lindsay ; Aberdeen, William Cruikshanks ; Kirkaldie, Andrew Key ; Coupar, Thomas Greg ; Dumfreise, John Irving ; Bruntisland, George Thomson ; Brechin, Robert Whyte ; Irving, William M'Taggart ; Peebles, John Ramadge ; Kilrenny, Mr David Bethune ; Sanquhar, George Irving ; Queensferry, James Hunter.

Preses.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses.

Harbour of
Aberbrothock.

2. The commissioner for the burgh of Aberbrothock did according to the 44th act of the last general convention lay before the committee a list of the royal burrows who had not sent up their contributions for carrying on the building of the harbour of Aberbrothock notwithstanding of the act of the general assembly and two former acts of the convention recommending the same ; and the committee considering that the building of the said harbour will be of great use to commerce and thereby a national good, doe therefor appoint their preses to wryte to the said several burrows in the most pressing terms that they doe cause the collections within their respective burghs to be made without delay and to transmitt the same to Patrick Lindsay, present dean of gild, collector appointed for receiving thereof, that so good a work may not be stopt or retarded. As also to write to the several burrows to send up a list of the unfree traders within their bounds that they may be prosecut untill they compound for the benefit of trade.

Queensferry.

3. The magistrates and council of Queensferry and George Hill, late bailie, having submitted to the committee all debateable matters between them claims and answers were ordered to be given in.

16 July 1728.

Sederunt.

Edinburgh, Patrick Lindsay ; Bruntisland, John Keir ; Irving, John Din ; Craill, John Lumsdean ; Whithorn, William Agnew ; Sanquhar, George Irving.

Preses.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses.

Act in favours
of Turriff.

2. There was a petition given in by Andrew Hay of Mountblairy in name and behalf of the inhabitants of the town of Turriff setting forth

that by act of the convention dated the ninth day of July j^m vij^e and twenty three years the said burgh was continued at seven pennies for their communication of trade untill the heritor enter into contract with the burrows for four pennies, and upon signing the said contract the agent was appointed to discharge them of bygones; that the only reason why that contract was not signed was that the Lady Arrol, heritrix, was out of the kingdom but that she now being come home was willing to enter into contract and pay up from the date of the said act at the rate of four pennies for bygones and in time comeing, and therefor praying the committee to order the agent to remove the quartering on the said burgh; which being considered by the committee and they being satisfyed that the said burgh is in a low state doe therefor appoint their agent to remove the quartering upon payment being made to him of the cess and missive dues since July j^m vij^e and twenty three to July last at the rate of four pennies in the terms of the above mentioned act, amounting to fifty sex pounds fourteen shillings eight pennies, and the said burgh satisfying for the quartering conform to law, but upon this express condition that the lady Arrol and her husband shall become bound for their burgh of Turriff, that the said burgh of Turriff shall hereafter pay to the royal burrows such a proportion of the hundred pound of the tax roll as is now charged thereon as aforesaid both as to cess and missive dues or such other proportion thereof as shall hereafter be charged thereon conform to law, and that in manner as the laws made in that behalf doe direct in consideration of the said burgh of Turriff's enjoying the benefit of trade which is hereby ratified and confirmed to them.

EDINBURGH.
16 July 1728.
Act in favours
of Turriff.

12 November 1728.

Edinburgh, Archibald M'Aulay, preses, James Nimmo; Irving, John Sederunt. Din; Cullen, John Philp; Rothesay, George Drummond; Sanquhar, George Irving; Stranraer, Mr Hugh Dalrymple.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses. Preses.
2. Referring to the 28th act of last convention the committee instructed the agent to expend £10 in prosecution of the action against John Black and others for their intrusions with the revenues of Dysert. Dysert.
3. In the list of arrears of burghs of barony and regality given up by George Portsoy. Smollet, late agent, the town of Portsoy and parishes of Fordyce and Keith are

EDINBURGH,
12 November
1728.

Portsoy.

Keeper of con-
serjary house.

Cash accountt
with royall
bank.

Weemys.

debtors in a balance of £519, 8s. 0 $\frac{3}{4}$ d. Scots in which is included £412, 5s. 6 $\frac{3}{4}$ d. resting on July 1723 of which the burgh is discharged pursuant to 24th act of convention dated 9 July 1723 but the late agent had omitted to credit the same. The committee therefore appointed the agent now to give the town of Portsoy credit and to accept of missive dues resting since July 1723.

4. Authorised the conservator to appoint a keeper of the conserjary house at Camphere in room of John Beg, deceased.

5. Referring to the 25th act of last convention whereby the committee were impowered to borrow £421, 0s. 10d. sterling due by the royal burghs to the general receiver of the land tax, and "considering that there may not be ane absolut necessity to borrow the whole of the said sum at one time and that the opening a cash accompt with the royal bank of Scotland whereby credit may be had for a sum not exceeding £421, 0s. 10d. sterling agreeable to the rules made by the royal bank on that behalf will be the properest method for takeing a loan of the said sum or so much thereof as shall be necessary," the committee authorised the agent to open a cash account accordingly.

6. The town of Weemys being debited in the list of arrears with £411, 10s. 6d. Scots while £268, 7s. 2d. discounted by a previous act of convention had been omitted to be credited, the committee appointed the agent to accept £143, 3s. 4d. Scots in full of the balance due by Weemys.

5 March 1729.

Sederunt.

Edinburgh, Patrick Lindsay ; Irving, John Din ; Craill, John Lumsdean ; Sanquhar, George Irving ; Rothesay, George Drummond ; Inverary, James Nimmo ; Campbleton, Alexander Frazer.

Preses.

Report by
commissioners
for fisheries
and manufac-
tures.

Act ratifying
bond by town
of Pittenweem.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses.

2. A copy of the report of the commissioners for the encouragement of fisheries and manufactures having been presented was appointed to lie in the clerk's hands for perusal of the members till next general convention.

3. The committee having considered the petition from the burgh of Pittenweem remitted to them by the last general convention, and having likewise considered, perused and examined a state of the revenue of the said burgh, and regular burdens affecting the same, together with accompts showing the amount of the debt of the said burgh, being £4,846, 13s. 4d. Scots money, and that the same was incurred in carrying on several publick works belonging to the said burgh necessarily and profitably and particularly their harbour and the incloseing of their meadow ground, and having likewise considered the heritable bond

granted by the said burgh to David Aikenhead, surveyor att Anstruther, for the sum of fyve thousand merks Scots of principle, with the infeftment following thereon and the act of the town councill of the said burgh whereupon the same proceeds, the committee by virtue of the powers given to them by the last general convention, doe hereby ratify and approve of the foresaid heritable bond and infeftment granted by the said burgh to the said David Aitkenhead; but in regaurd that by the aforesaid state and accompts it appears to the committee that the said burgh will have annually a considerable ballance over and above payment of their annual burdens and annual rents of their debts, therefor the committee doe hereby recommend to the magistrats and councill of the said burgh carefully and faithfully to apply such ballances as shall arise annually toward extinguishing the debts of the burgh and to report the same to the convention; and the committee appoint the forsaid heritable bond to be recorded in their books and extracts thereof to be given out to the said David Aitkenhead or others concerned. [Follows the heritable bond. . . .]

EDINBURGH.
5 March 1729.
Act, ratifying
bond by town
of Pittenweem.

16 May 1729.

Edinburgh, Patrick Lindsay; Dundee, Alexander Ferrier; Elgine, William Sederunt. Forbes; Irving, John Din; Rothesay, George Drummond; Sanquhar, George Irving; Queensferry, James Hunter; Stranraer, Mr Hugh Dalrymple.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses.

Preses.

2. The committee having this day met at the request of the magistrats of Edinburgh to consider what is expedient to be done touching the suppressing of the currency of bad copper money that has lately obtained in all the corners of this part of the United Kingdom and for obtaining to this part of the United Kingdom such a quantity of good copper money as will be necessary for circulation, doe observe that great quantitys of bad half-pennies have both been imported and coined and counterfeited in several parts of the kingdom and have been uttered every where, and that if some effectual check be not thereto given soon by putting to punctuall execution the laws made against counterfeiting the coin and uttering of false money it will be attended with verry pernicious consequences; further, that in regaurd copper money is absolutely necessary

Act anent the
suppressing of
false copper
coin.

EDINBURGH.
16 May 1729.
Act anent the
suppressing
of false copper
coin.

to goe to mercat for the purchas of vivers and that the currency of the aforsaid false copper has so far prevailed that there are verry few good half-pennies to be seen in the circle, therefor that it would be very inexpedient at this juncture to seize the false copper which is brought into the circle in a fair way of trade till such a quantity of good copper as will be sufficient for ane interim circulation be provyded ; however that for preventing the increase of such bad money either from importation or from coining and counterfeiting that the magistrats of every royal burrow within their respective jurisdictions ought to cause search for and seize all bad copper money that is or shall be imported or is or shall be coined before it be brought into the circle in a fair way of trade, and to search for and secure all importers and coiners of such bad money in order to their being brought to justice ; and the committee are of oppinion that in order to obtain such a sum of good copper money as is necessary for ane interim circulation that the magistrats of Edinburgh should apply to the Royal Bank of Scotland and desire they would be pleased with all convenient dispatch to cause bring two thousand pounds sterling of copper money from the mint at London, whereof one fourth in farthings, and that the same should be changed at the Royal Bank for silver by the inhabitants of the royal burrows, and that the next convention of the royal burrows should indemnify the royal bank from all loss which they shall thereby sustain by reimbursement of insurance money, exchange, commission and other charges ; and the committee are likewise of oppinion that the currency of false copper is occasioned by the want of good copper and that were a copper coinage obtained here it would effectually prevent such abuse, therefor for obtaining to this part of the United Kingdom of such a quantity of copper and in such species as will be necessary for circulation that application ought to be made to our most gracious Sovereign in a proper manner for a copper coinage here, as contained in a petition hereto subjoined to be forwarded by the lord provost of Edinburgh to the right honourable the earll of Ilay to be by his lordship laid before the King in such a manner as to his lordship shall appear expedient ; and the committee appoint a copy of this act to be transmit to the several principle burrows.

Follows the petition to the King and letter to the Earle of Ilay :—
To the King's most excellent Majesty, the humble petition of the

Petition to the
King.

annual committee of the convention of the royal burrows of Scotland sheweth,—That for many years last past no copper money has been coined in Scotland whereby that kind of specie so necessary for circulation of money became extreamly scarce and for that reason anything bearing the name of a halfpenny became current without complaint. This encouraged several persons to drive a verry unlawful trade of importing clandestinely from Ireland and coining within this country great quantitys of false halfpennies of verry base mettall which have been dispersed throw the whole country. That the scarcity of good copper coin is so great that if a full stop were put to the currency of all these false halfpennies already uttered it would as we humbly conceive creat great disorder amongst the meaner sort of people who could not purchas vivers while the circulation of the money which they mostly have in their hands was at a stand unless there were quantitys of good halfpennies ready to be given out. That in this part of the United Kingdom there was a copper coin equall in value to the third part of a halfpenny which was found extreamly usefull that are now almost worn out which has given occasion to ane other fraud of importing doits from Holland which pass in their place and are scarcely equall to the third in value of that small coin. That copper being a bulkie commodity and not to be transported from the tower of London to this place without great expence and risq, and the smaller coin not being usefull any where but in this part of the country, we take the liberty with the greatest humility to suggest to your Majesty that the granting of a copper coynage in Scotland limited to a certain sum would prevent those growing mischiefs and be of great advantage to trade in this place. May it therefore please your Majesty to take into your consideration the inconveniencys above represented arising from the want of copper coin in Scotland and give such directions concerning the same as to your Majesty in your consummat wisdom shall seem proper. EDINBURGH.
16 May 1729.
Petition to the
King. Edinburgh 16th May 1729.

Follows the letter to the Earle of Ilay :—

My Lord,—I am commanded by the annual committee of burrows to transmitt to your lordship the enclosed petition to the King. Absolute necessity has forced us to this application for at present there passes no copper money in this country but false coin. We imagine that the little Letter to Earl
of Ilay.

EDINBURGH.
16 May 1729.
Letter to Earl
of Ilay.

good copper money that was amongst us has been smelted down by false coiners because there is so little of it to be seen. Some days ago the people of this town imagined that the magistrats were about to discharge the currency of the false halfpennies and therefor the people refused to take them soe that our poor people who had no other coin but those false halfpennies could procure nothing for their subsistance. This occassioned a hideous outcry amongst the lower sort which the magistrats were apprehensive would end in a mob, upon which we judged it reasonable to take the advice of such of the lords of session as were in town as to our conduct in our present situation, and after reasoning a long time upon the affair it was judged to be inexpedient to putt a stop to the currency of that bad copper till such time as we had good copper to circulat our small negotiations. Your lordship will be convinced from the present circumstances of this country of how great necessity our having a copper coynage is and therefor wee hope your lordship will use your best offices to procure it for us in the best and speediest manner. Your lordships inclinations to serve your country upon all occassions convinceth us that in ane affair of such a general concern yow will not be wanting to doe your best offices. I accepted the commission of writing this letter to your lordship with the greatest chearfulness because it furnishes me with ane opportunity of assureing you that I am with the utmost respect, my lord, your lordships most devoted and most humble servant. *Sic subscribitur* : Archd. M'Aulay,* preses.

Act anent
Stranraer.

3. Having considered the remit under the 47th act of last convention the committee "are fully satisfyed that the said burgh of Stranraer is in very low circumstances and needs to be supplied," but being unwilling to give such a sum as the circumstances require they left the matter to the consideration of next annual convention.

11 June 1729.

Sederunt.

Edinburgh, Patrick Lindsay ; Northberwick, Sir Robert Dalrymple ; Bruntisland, George Thomson ; Sanquhar, George Irving ; Kilrenny, Mr David Bethune ; Irving, John Din ; Wick, (*blank*).

Preses.

1. Patrick Lindsay, commissioner for Edinburgh, elected preses.

Bruntisland.

2. On petition from Bruntisland and remit from the convention, and being satisfied that the inhabitants are carrying on the reparation of the pier, the com-

mittee granted to the burgh £15 sterling to enable them to carry on the work with success. EDINBURGH.
11 June 1729.

30 June 1729.

Edinburgh, Patrick Lindsay ; Northberwick, Robert Dalrymple ; Banf, Sederunt.
Mr George Ogilvie ; Cullen, John Philp ; Dumbarton, Mr George Smollet ;
Sanquhar, George Irving ; Irving, John Din.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses. Preses.

2. Having considered the 28th act of last convention and being satisfied that the inhabitants of Dysert are in readiness to contribute towards repairing the harbour, the committee granted to the burgh £15 sterling to be applied towards that purpose. Dysert.

3. Having fully considered the several disputes between Bailie George Hill and the magistrates of Queensferry the committee gave their final sentence and decreet arbitral, which was appointed to be registered for behoof of both parties. Decreet
arbitral,
Queensferry.

GENERAL CONVENTION *held at* EDINBURGH.

Edinburgh, James Nimmo and William Keir ; Perth, Robert Robertson ; EDINBURGH.
1 July 1729.
Dundee, George Kinloch ; Aberdeen, William Cruikshank ; Stirling, James Sederunt.
Littlejohn ; Linlithgow, William Bell ; St Andrews, William Douglas ;
Glasgow, John Stirling ; Ayr, Thomas Garvine ; Kirkaldie, William Jeffrey ;
Montrose, James Coutts ; Coupar, Thomas Greg ; Dumfreise, James Corie ;
Bruntisland, Alexander Burnet ; Brechin, John Knox ; Irving, John Din ;
Jedburgh, John Smyth ; Dumfermling, William Stevenson ; Anstruther Wester,
Mr Philip Anstruther ; Selkirk, Andrew Mitchelhill ; Dumbarton, Mr George
Smollet ; Ranfrew, John Somervele ; Lanark, John Banantyne ; Aberbrothick,
John Wallace ; Elgine, James Innes ; Peebles, John Ramadge ; Craill, John
Lumsdean ; Culross, George Gray ; Banf, Mr George Ogilvie ; Whithorn,
William Agnew ; Rothesay, Gwin Vaughan ; Nairn, Hugh Ross ; Forres,
William Forbes ; Ruthglen, Alexander Leitch ; North Berwick, Sir Robert Dal-
rymple ; Cullen, Mr John Philp ; Lauder, John Moffat ; Annan, Bryce Blair ;
Lochmabin, Robert Robertson ; Sanquhar, George Irving ; New Galloway,
William Veitch ; Queensferry, James Hunter ; Stranraer, Mr Hugh Dalrymple ;
(twenty-three burrows *blank*).

1 July 1729.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses.

2. Appointed a committee to revise the commissions.

Preses.
Committee
to revise com-
missions.

2 July 1729.

EDINBURGH.
2 July 1729.Commissions
approven.Committee
to consider
missive.Petition for
Glasgow.

3, 4. Approved of report by the above committee and also of commissions from certain burghs, "but appoint the members of the succeeding conventions to bring up their commissions more agreeable to the plattform in time comeing."

5. Appointed a committee to consider the general missive.

6. Remitted to a committee petition from the burgh of Glasgow "setting forth the low state of the said burgh and craving the authority of the convention for fewing out certain lands for the purposes therein mentioned and praying that the convention would be pleased to give them such furdre releif as they should think proper."

Culross.

7. Remitted to a committee petition from Culross setting forth the bad state of their pier or harbour.

Aberdeen.

8. On petition from Aberdeen the convention authorised the burgh to grant a feu charter of the lands of Westfeild to Patrick Duff of Premney, and appointed the charter to be registered in the convention record.

Copper coin-
age.

9. Approved of the proceedings of the annual committee as to the copper coinage and remitted to "the annual committee which shall be appointed to sit after dissolving of this convention to doe what they shall furdre think necessary therein from time to time with as little charges to the burrows as possible."

Innerkeithing.

10. Remitted to the committee on the missive petition from Thomas Anderson in Innerkeithing complaining that John Cant, clerk of the burgh, had obtained from the town council a right to the common muir and others.

Fisheries and
manufactures.

11. There was presented and ordered to lie on the table for perusal of the members copy report by the commissioners for improving fisheries and manufactures and account of moneys paid by the receiver general on account of fisheries and manufactures.

3 July 1729.

Commissions
approven.Glasgow
allowed to feu
lands and
committee to
visit burghs.

12. Approved of commissions for the burghs of Haddington, Tain and Dumbar.

13. On report by the committee appointed by the 6th act that it would tend to the benefit of the burgh of Glasgow, the convention authorised the town council to feu the lands and barony of Provan or any part of their commony to the best advantage; and "the state of the trade of that burgh having of late appeared to be in a languishing condition," a committee was appointed to visit the burgh and report as to its trade and common good.

Petition for
David Ander-
son.

14. Remitted to a sub-committee to address his Majesty with reference to a petition from David Anderson, "setting furth the low estate he is reduced to by the captures of three several vessells belonging to him."

Elgine.

15. Remitted to a committee petition from the burgh of Elgine craving liberty to feu certain lands.

16. Remitted to a committee to audit the accounts of the agent and others. EDINBURGH.
3 July 1729.

17. Remitted to the committee named in the preceding act "petition from the pedlers of Down, and other from the inhabitants of Borroustouness, and a third for the Linktoun of Kirkaldie, all complaining of the low state of their trade and poverty of their burghs." Accounts.
Petitions remitted.

18. Appointed the agent to pay the commissioner of Queensferry £12 sterling allowed for expenses of process against George Hill, late bailie. Queensferry.

19. Continued certain articles to be heads of the next missive, including the ninth article, "with this variation that in place of the convention's granting commissions to wreck and curemasters appointed by the commissioners and trustees for improving the fisherys and manufactures for observing the instructions given to them in the coast fishing as well as in the fishing in deep waters that the magistrats of such of the royal burrows where any fishing is, be furthwith wrote to requesting and requiring them to authorize the said wreck and curemasters as their own wreck and curemasters according to the laws made on that behalf and that they report the same to the annual committee before the tenth of August next." Heads of the
generall mis-
sive continued.

20. On report by a committee the convention allowed to the burgh of Culross. Culross £7 sterling "to enable them to finish the reparation of their harbour before the winter season come on." Culross.

21. The convention having heard a petition from the runners to and from Aberdeen complaining of their being detained at the several ferries they remitt the same to the annual committee to procure for them such redress as they shall see proper. Petition of the
carryers.

22. The convention having heard a petition from Robert Paterson, cloathier, they recommend to the commissioners and trustees for improving manufactures to give the petitioner such aid and encouragement as to them shall seem proper. Recommendation in favours
of Robert
Paterson.

4 July 1729.

23. The agent has recovered of arrears due by burghs of barrony and regality £5732, 4s. 7d. Scots, and with £680, 12s. 8½d. remitted by the convention to Weemys and Portsoy, and £43, 5s. 2d. being an error in the charge of Dunniekier, there remains of arrears yet outstanding £8582, 19s. 2½d. Scots. The discharge of the agent (including £317, 1s. Scots resting by William Robertson as part of Eymouth cess) amounts to £6024, 2s. 5d., leaving due by him £291, 17s. 10d. Agent's ac-
counts of
unfree trade.

24. The agent charges himself with £11,000 of missive dues, and £2000, 15s. 8d., being sum in George Smollet's bond, and that his discharge Agent's ac-
counts of
missive dues.

EDINBURGH. 4 July 1729.	(including £291, 17s. 10d. due to him on account of unfree trade, and £2000, 15s. 8d. being sum in George Smollet's bond still outstanding) amounts to £10,850, 13s. 10d. Scots, leaving due by him £2150, 1s. 10d. Scots which is to be paid to the receiver general as part of the arrears of unfree trade. One of the payments in the account is "for a copy of the patent in favours of Mr Wood for making iron £4, 10s." David Flint, secretary to the commissioners for improvement of manufactures, charges himself with £100 sterling paid him, and with £9, 7s. 9d. balance of preceding year, and discharges himself with £84, 9s. 7d. for salary and incidents, leaving a balance of £24, 18s. 2d. sterling which was given to him "in consideration of the great trouble and labour he has been at in the affairs of the fisherys and manufactures." The conservator's dues of a half per cent for the year preceding amounted to £310, 15s. Scots, which falls short of £50 sterling which the half per cent was computed to have yielded in £289, 5s. Scots, which was ordered to be paid the conservator with £50 sterling payable to him till his dues yield £100 sterling, agreeable to the 20th act of last convention.
Agent's accounts of missive dues. Patent for making iron. Manufactures.	
Conservators dues.	
Burghs of barrony, &c.	25. Remitted to the annual committee to compound and agree with the inhabitants of Down and the burghs of Falkirk, Kelso, Coldstream, Duncce, Old Meldrum, Killiemuir, Airth and Turriff, and with their respective superiors for bygoncs and in time coming.
Stranraer, Elgine.	26, 27. On reports by committees appointed to visit the following burghs the convention allowed (26) to Stranraer £20 sterling "towards repairing their tollboth and other public works," and (27) to Elgine £20 sterling "toward the reparation of their harbour."
Debentures on fish exported.	28. Having heard a memorial from several merchants complaining that the debentures for fish exported were not duly paid by the commissioners of the customes and excise the convention remitted to a committee to memorialise the barons of exchequer and to the annual committee to take any necessary measures for obtaining punctual payment.
Nairn.	29. On petition from Nairn "setting furth their inability to build their tolbooth and the decay of their trade," the convention appointed a committee to visit the burgh and report.
Borroustoun- ess.	30. On petition from Borroustouness the convention appointed the agent "to assign to them the unfree trade of Grange Pans and of the other unfree parts adjacent upon their paying up the bygoncs resting by them."
Elgine.	31. Authorised the burgh of Elgine to feu their barren muir provided the commissioners of Nairn and Forres judged it to be for the advantage of the burgh, and the feu contracts to be submitted to the convention for approbation.
Harbour of Peterhead.	32. There was presented to the convention a petition from the governours of the Merchant Maiden Hospital of Edinburgh, superiours of the town of Peterhead, for themselves and in name and behalf of the

inhabitants of the said town craeving that the convention would recom-
mend a voluntary contribution through all the burghs of Scotland to
enable the inhabitants of the said burgh to repair their harbour in
manner mentioned in the said petition; which being considered by the
convention and they being satisfied that the said harbour is in the
bad condition represented in the petition and how usefull it would be to
all ships tradeing to the north were it put in repair, doe therefor heartily
recommend to all the burrows of Scotland to contribut their assistance
toward repairing the said harbour by collecting voluntary contributions
within their several burghs in such a manner as the magistrats shall
think propper, and appoint the said collections to be sent up and paid in
to Mr John Henderson, merchant in Edinburgh, and present thesaurer
to the said hospital, to be applyed for the reparation of the said harbour
at the direction of the governour of the said hospital.

EDINBURGH.
4 July 1729.
Harbour of
Peterhead.

33. On petition from Coupar "craeving the aid of the convention for Coupar.
building their school house," a committee was appointed to visit the burgh and
report its condition to next convention.

34. The committee appointed to consider petition by Thomas Anderson in Queensferry.
Innerkeithing against John Cant, clerk of the burgh, reported that they considered
the complaint groundless and that it should be dismissed and the charters granted
to Cant ratified. This was accordingly done and the charters ordered to be
recorded after the acts of this convention.

35. On petition from Whithorn "representing the rowinous condition of Whithorn.
their harbour and the conveniency thereof for accommodating ships comeing and
goeing to the West Indies," the convention granted £10 sterling to enable them
to carry on the reparation of the harbour.

36. Appointed the agent to pay to the burgh of Innerkeithing £10 sterling Innerkeithing.
"toward repairing their peir and harbour."

5 July 1729.

37. Approved of the draught of a representation to the barons of exchequer Fish debentures.
anent the debentures on fish not being duly paid, and appointed it to be pre-
sented. (See Representation, *infra*, p. 495.)

38. Continued to next convention the article in the missive anent the visit Rothersey.
to Rothersey.

39. Approved of the draught of an address to his Majesty on behalf of Address to his
David Anderson, and appointed it to be transmitted to the Duke of Newcastle, Majesty.
secretary of state, to be laid before his Majesty, and the Earl of Islay to be written
thereanent. (See address, *infra*, p. 494.)

EDINBURGH.
5 July 1729.

Aberbrothock.
Town of
Cockeny.

Younge, £5,
and Harvie, £3
of supply.

Anent some
bad copper
seized.

40. Remitted to the annual committee petition from the burgh of Aberbrothock as to differences between John Frazer of Kirktown and the burgh.

41. Remitted to the annual committee petition of Thomas Mathie craving to be eased of the present proportion of the tax roll laid on the town of Cockeny.

42. Allowed to David Younge, late bailie in Brechin, £5 sterling, and to Andrew Harvie, late provost of Rutherglen, £3 sterling "of present supply."

43. The commissioner for Aberdeen represented that in pursuance of the act of the last annual committee the magistrats of the said burgh had seized upon false copper halfpennys to the amount of about sixty pounds sterling, and the owners thereof being now claiming the same he desired to be directed by the convention what the magistrats should doe in that matter, which being considered by the convention they remitt the consideration thereof to the annual committee to be appointed to sit after dissolving of this convention who are hereby appointed to take the advice of their assessor thereanent and give directions accordingly.

44. Annual committee appointed.

45. The commissioners for Forfar represented that there was a person in their tolbooth imprisoned for a debt due to the crown who was applying to the magistrats for the benefit of the act of parliament anent insolvent debtors and craved the conventions advice what the magistrats might doe thereanent. The convention remitt the consideration thereof to the annual committee.

Anent attend-
ance of
commissioners.

46. The convention considering that several of the royal burrows doe not send up commissioners to attend the convention notwithstanding of the many acts made for the punctual keeping thereof, they remitt to the annual committee to prepare ane act for oblidging the haill burrows to send up their several commissioners to attend the convention more punctually in time comeing.

Sallary, &c.

Convention
dissolved.

47. Appointed the agent to pay certain salaries and gratuities.

48. Dissolved the present convention and appointed next annual convention to be held at Edinburgh on the first Tuesday of July 1730.

Address to the
King in favours
of David
Anderson.

FOLLOWS the address to the King in favours of David Anderson, appointed to be recorded by the 39th act of last convention.

To the King's most excellent Majesty, the humble address of the royal burrows of North Britain: May it please your Majesty,—Wee your

Majesty's most dutifull and loyal subjects being mett together in our annual convention concerning our matters of trade and other affairs relative to our society, beg liberty to lay before your Majesty that application was made to your royal burrows by David Anderson, merchant in Edinburgh, upon the accession of his late Majesty to the crown [as to ships taken by a French privateer, *ut antea*, p. 173]. The facts contained in this application having been clearly documented to your royal burrows they judged it their duty for the encouragement of trade and releif of the merchants humbly to recommend them to your royal father but the address through the omission of those who were charged with the care of it was never presented. As it is the universall concern of your royal burrows that all such discouragements upon trade may be prevented, wee beg leave humbly to renew our request in favour of those sufferers and humbly to pray your Majesty would be graciously pleased to take their case under your royal consideration and make such provision as your Majesty in your great wisdom shall think fitt for releif of the poor merchants and the discouragement of all such practises for the time to come. May it please your Majesty, [etc.]. Edinburgh, 5th July 1729.

EDINBURGH
5 July 1729.
Address to the
King in favours
of David
Anderson.

FOLLOWS a Representation to Barrons of Exchequer anent the non due payment of the debentures on fish exported, appointed to be recorded by the 37th act of last convention.

Representation
to the Barrons
of Exchequer
anent fish
debentures.

To the right honourable the lord chief barron and the rest of the barons of his Majesties court of exchequer, the general convention of the royal burrows of Scotland in behalf of the merchants, dealers in and exporters of fish, humbly represent,—That for the encouragement of the British fishery sundry allowances on fish exported have been by several acts of parliament appointed to be payed to the exporters thereof, and for the better ascertaining and secureing all such allowances as are due by law for fish exported from North Britain it is by the act 7° Anne cap. 11° sect. 10° enacted that these allowances shall be payed out of the duties on salt ariseing in the port from whence the fish are exported upon a debenture to be made out by the collector of the customes for that purpose, and in case the officer appointed to pay such debentures shall not

EDINBURGH.
5 July 1729.

Representation
to the Barrons
of Exchequer
anent fish
debentures.

have sufficient money in his hands to pay the same then he is directed to certify the same either to the commissioners of the customes or excise at the option of the exporter, and upon producing such certificat and debenture to the commissioners of the custums or excise to whom such certificat is directed they are required to cause such debentures to be payed out of any dutys ariseing upon salt in Scotland or out of the revenues of customes and excise in Scotland or any of them and with preference to all other payments whatsoever to be made out of the same, the charges of raising and managing those revenues and the fees, sallarys, and other charges allowed by his Majesty for keeping up the courts of session and justiciary and the exchequer court in Scotland always excepted and foreprized. Notwithstanding of this security given by law for the payment of fish debentures yet for some years bygone the merchants, traders in and exporters of fish, (as they have represented to us) have with very great difficulty recovered payment of the debentures when the same happened to be certifiyd upon the commissioners of excise, in so much that after lying out of their money for several moneths together they were oblidged in Martimas term last to commence several prosecutions in this honourable court against said commissioners and then and not till then did they pay all the fish debentures that were certifiyd upon them. The merchants have now of these debentures to a considerable value some of which have been in their hands for the space of six moneths and more and when they have from time to time demanded payment thereof they have been answered that those branches of the revenue of excyse that are chargable by law with these payments are not sufficient for that purpose and for paying the civil list also, and in regaurd the civil list is a preferable debt therefor they ought by law to retain money in their hands for satisfying it even before it falls due, and for makeing such retention they also say that they have the order of this honourable court. The convention are at a loss to know what branches of that revenue are not applicable to the paying of fish debentures, and are also at a loss to understand that all the fees and salaries contained in the civil list are preferable payments. As to the first it has been suggested to them that the hereditary and temporary excise are not lyable to satisfy these debentures, the former because by the Act 12° Car: 2d for takeing away the court and liveries

and tenures *in capite* and by knights services and for settleing a revenue upon his Majesty in lieu thereof, the duties of excise therein mentioned are given to his Majesty his heirs and successors for ever, and therefor are the inheritance of the crown which cannot be applyed to any use but that of his Majesty ; and the latter because by the Act 1^o Georgii 2^{di} for the better support of his Majestys household and of the honour and dignity of the crown of Great Britain it is granted to his present Majesty dureing his life. As to the hereditary excyse the convention doe most humbly submitt to your lordships (1) How far any part of the two shillings laid upon the barrell of two penny ale brewed in Scotland by the 7th article of the Union can be called hereditary excise seing there is no act of parliament granting any part of that duty as an inheritance to the crown. (2) By the forsaid act 7^o Anne the revenues of excise ariseing in Scotland are in general charged and made chargeable with the paying of fish debentures preferable to all other payments except as is therein excepted ; and it is therefor humbly submitted to your lordships how far such ane act which is made by the authority of his Majesty and the two houses of parliament does testify that the crown has no inheritance in any part of the said duty or how far such ane inheritance is taken away. (3) It is also humbly submitted to your lordships how far any duty of excise ariseing in Scotland could be lookt upon as hereditary seeing his Majesty never surrendered any court of wards and liveries, tenures *in capite* or by knights service in Scotland, and the subjects thereof have never had any benefit by such surrender. If the case be thus as the convention doe humbly apprehend it is, then no part of the forsaid duty on two penny ale or any other duty of excise ariseing in Scotland ought to be kept back from satisfying of fish debentures on pretence that it is hereditary. As to the temporary excise it appears also to the convention that no part thereof ought to be abstracted from satisfying of these debentures because tho' it is granted by the forsaid act of parliament to his present Majesty dureing life, yet all charges of particular annuities or sumes of money on said revenue made or allowed by any act or acts of parliament whatsoever are excepted in the said act and all claims and demands which any person or persons had or ought to have had to the said revenue at the makeing of this act are saved to them as

EDINBURGH.
5 July 1729.
Representation
to Barrons of
Exchequer
anent fish
debentures.

EDINBURGH.
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Representation
to Barrons of
Exchequer
anent fish
debentures.

if the act had not been made ; therefor the said temporary excise seems to be chargeable with the payment of the forsaid debentures any thing in this act to the contrary notwithstanding. In the last place, the convention most humbly represent to your lordships that they cannot apprehend that all the fees, sallarys and charges contained in the civil establishment are preferable to the said debentures, because by the forsaid act of Queen Ann the payment of these debentures are preferable to all other payments whatsoever except the charges of management and the fees, sallarys, and charges of keeping up the three courts of justice in Scotland ; and in the said civil list establishment there are other fees, sallarys and charges, than those of keeping up the said three courts which therefor ought to be paid posterior and not prior to the said debentures. The want of prompt payment as the forsaid laws direct puts the merchants under a necessity to make sale of their debentures at great discounts which is a discouragement to trade. The convention doe therefor most humbly intreat that your lordships will be pleased to give such directions to the commissioners of excise as your lordship shall think fitt to pay the fish debentures which are now in the hands of the merchants and to make such orders for the regular payment of such debentures in time comeing as may prevent the further discouragement and utter ruine of the fishery of North Britain. Edinburgh 5th July 1729.

MEETINGS OF ANNUAL COMMITTEE *held at* EDINBURGH.

7 July 1729.

EDINBURGH.
7 July 1729.
Sederunt.

Edinburgh, James Nimmo ; Pearth, Robert Robertson ; Dundee, George Kinloch ; Aberdeen ; William Cruikshanks ; Irving, John Din ; Dunbarton, Mr George Smollet ; Craill, John Lumsdean ; Banf, Mr George Ogilvie ; Sanquhar, George Irving ; Queensferry, James Hunter.

Preses.

1. Archibald M'Aulay, lord provost of Edinburgh, elected preses.

Copper half-pennys.

2. The committee having taken into their consideration the ninth act of the last convention anent the copper coyne they appoint their agent to acquaint the directors of the royal bank to bring down from London only fyve hundred pounds sterling in copper halfpennies in place of the

two thousand pounds mentioned in their former act and that untill the committee see what will be furdur necessary and give their order thereanent.

EDINBURGH.
7 July 1729.
Copper half-pennys.
Anent Wood's halfpennys.

3. The committee having considered the remitt of the last convention to them concerning a quantity of Woods halfpennys seized by the magistrats of Aberdeen and now claimed by the owners thereof they appoint their agent to lay that matter before his Majestys advocat or sollicitor and to take his advice what is propper to be done therein.

4. The committee having considered the petition of the runners to and from Aberdeen complaining of their being detained at the several ferrys, with the remitt of the convention thereanent, they recommend to the commissioners for the burghs of Edinburgh, Kinghorn and Dundee, to speak to the magistrats of the said burghs that they would give orders to their shoar master or others concerned in the passage boats to give the said runners as ready passage and at as easy a rate as possible.

Recommendation anent the passage boats.

13 November 1729.

Edinburgh, James Nimmo ; Irving, John Din ; Banf, Mr George Ogilvie ; Sederunt. [Forres], William Forbes ; Whithorn, Hugh Hathorn ; Sanquhar, George Irving.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses. Preses.

The preses laid before the committee a letter from Mr Bowlis, secretary to the barrons of exchequer, with a copy of ane answer made by the commissioners of excise to the representation made by the burrows concerning the fish debentures ; which being read the committee appoint coppys of the said representation and answers to be laid before Mr James Graham, Mr George Ogilvie and Mr John Forbes, advocats, and the agent to consult them anent what is furdur necessary to be done for obtaining punctuall payment of the said debentures in time comeing.

Agent to consult lawiers anent fish debentures.

3 February 1730.

Edinburgh, William Keir ; Air, Robert Wallace ; Irving, John Din ; Banf, Sederunt. Mr George Ogilvie ; Whithorn, Hugh Hathorn ; North Berwick, Sir Robert Dalrymple ; Sanquhar, George Irving ; Stranraer, Mr Hugh Dalrymple.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses. Preses.

EDINBURGH.
3 February
1730.

Act anent
smuglers and
others who doe
not reside in
royal burrows.

2. The agent acquainted the committee that there are a great number of persons who without being free of any royal burrow or other free burgh whatsoever doe by the assistance of their freinds carry on a smuggling trade of importing forreign goods at privat plaices without making propper entrys, whereby the revenue is considerably decreased, the priviledges of the royal burrows incroached upon and the fair dealers much discouraged in their trade, and presented the draught of a representation to the lords of the thesaury praying their lordships to take these grievances under their consideration and to endeavour to procure ane act or such clauses in ane act of parliament as might effectually prevent the same in time comeing; which representation with a memoriall concerning the priviledges of the royal burrows thereto annexed being read in presence of the committee they appoint their preses to sign the said representation in their name and to transmitt the same with the memoriall thereto annexed to the lord advocat to be by him laid before the thesaury; and also recommend to their preses to give coppys thereof to the right honourable the earle of Ilay and to the commissioners of the customs and to desire their assistance in procureing the said act; and also appoint their agent to send coppys thereof to Mr William Hamilton, the burrows agent at London, and to desire him to wait on the earle of Ilay and lord advocat and according to their directions to follow furth the solliciting the same; all which was done accordingly.

Anent Demp-
ster's suspen-
sion of cess of
Dundee.

3. The agent acquainted the committee that according to order he had once and again consulted the advocat and solicitor in the suspension of cess at the instance of George Dempster against the magistrats of Dundee in which the lords had pronounced ane interlocuter, the copy of which he then produced; which being read in presence of the committee they approved of the agents proceeding in the said matter and appoint their preses to forward to the lord advocat a copy of the said interlocuter and of the informations whereon the same proceeded and to request of his lordship to endeavour to obtain a proper clause in the land tax act to secure the ingathering of the King's cess against all suspensions or interruptions from summar complaints of this kind, and appoint the agent to write to Mr William Hamilton, at London, likewise to negotiat this matter.

4. There was presented and appointed to lie on the table for perusal of members till next convention report of the proceedings of the commissioners for improving fisheries and manufactures.

EDINBURGH.
3 February
1730.
Proceedings of
trustees for
fisherys, &c.

20 February 1730.

Edinburgh, James Nimmo ; Glasgow, Alexander Finlayson ; Irving, John Sederunt. Din ; Sanquhar, George Irving ; Whithorn, Hugh Hathorn ; North Berwick, Sir Robert Dalrymple ; Queensferry, James Huntar.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses.

Preses.

2. On petition of the pedlars of Down, and being satisfied that the inhabitants are in low circumstances, the committee authorised the agent to agree with the Earl of Murray, on his accepting of the communication of trade and becoming bound to pay at the rate of 4d. Scots on the tax roll, to discharge the town of all arrears.

Anent the
inhabitants of
Down.

3. There was presented to the committee a memorial from the candlemakers of Edinburgh complaining of several discouragements upon them and the other fair dealers in that trade by reason of the frauds committed by persons whose workhouses for making of candles are entered in borrowed names and so doe not make oath anent the true quantity of candles made by them, whereby the payment of the duty is evaded and they enabled to undersell the fair dealers in that manufacture ; which being considered by the committee they appoint coppys of the said memorial to be transmitted by their preses to his Majesty's advocat and solicitor that in case the dutys on candle are not altogether to be taken off they would endeavour to procure such regulations as to the matters sett forth in the said memorial as may effectually prevent any frauds against the revenue and thereby remove the hardships putt upon fair dealers.

Anent the
candlemakers
of Edinburgh.

4. There was presented to the committee a memoriall from the deacon and incorporation of the skinners of Edinburgh complaining that the duty on the kid leather in use to be manufactured in Scotland, is so heavy that that branch of trade is intirely sunk, to the great loss of the revenue and of the memorialists who were in use to manufacture kid skins ; as also complaining that the duty on sheep and lamb leather which are mostly manufactured with salt and alom falls heavier upon those skins soe manufactured in Scotland than it does upon the sheep and lamb skins manufactured in England, which being stronger skins are mostly

Anent kid
skins.

EDINBURGH.
20 February
1730.

Anent kid
skins.

manufactured into oyle or shambo leather and so are not lyable to the duty upon salt as well as leather; which being considered by the committee they appoint their preses to transmitt coppies of the said memorial to his Majestys advocat and sollicitor and to desire of them that they would endeavour to gett redress of the grivances sett furth in the said memorial in so far as the same is consistent with the intrest of the revenue and a just equally in that trade.

3 April 1730.

Sederunt.

Edinburgh, James Nimmo, dean of guild; Irving, John Din; Forbes, William Forbes; Sanquhar, George Irving; Whithorn, Hugh Hathorn.

Preses.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses.

Fish debentures.

2. The preses acquainted the committee that there was a bill now depending before the parliament for taking off the duty on British salt, and that it being already agreed to that the premiums on fish exported should be continued it was proper on this occasion to move for a clause for making the payment of those debentures more punctual in time comeing, and for that end it was necessary to write to the several representatives of the burrows in parliament setting forth this matter, and presented the draught of a letter for that purpose, which being read in presence of the committee they approved thereof and appointed their preses in their name to send a letter to each of the said representatives and also to write to Mr William Hamilton, the burrows agent at London, thereanent, to whom also they appoint their clerks to transmitt coppys of the representation made to the barrons of exchequer anent the non-payment of the said debentures and of the answer made by the commissioners of excise to the said representation; all which was done accordingly and of which letter the tenor follows:—Sir,—The merchants dealers in fish are verry sensible of the good offices done to the country by yow and our other representatives in parliament in obtaining to them the continuance of the premiums that are payable upon fish exported. Indeed without these premiums that valuable branch of trade could not subsist. They have made application to the annual committee of royal burrows setting forth that unless the payment of the debentures for such premiums be made more punctually than hitherto of late has been done they

will be disabled from following forth that branch of business. Upon a complaint of this kind made by the merchants to the last general convention holden in July this case was laid before the court of exchequer by a representation and nothing followed thereon further than an answer was thereto putt in by the commissioners of excyse the consideration whereof is putt off till next term. Tryalls before the court of exchequer are attended with great expence and trouble which very much discourages the merchants, and what they point at as the only effectual remedy is that a proper clause be had in the bill depending for takeing off the dutys on salt, to direct the payment of the debentures more punctually by preferring them to every thing other than the expence of manadgment and the charges of the three courts. This being of the greatest importance to our country, the committee have laid their commands upon me to pray that yow will in concert with our other representatives be pleased to exert yourself in obtaining such a clause or such other remedy as will be effectuell. I am, [etc.]. Edinburgh, 7th April 1730.

EDINBURGH.
3 April 1730.
Fish debentures.

16 June 1730.

Patrick Lindsay, lord provost of Edinburgh ; Innerkeithing, John Cant ; Sederunt. Anstruther Wester, Mr Philip Anstruther ; Craill, John Lumsdean ; Whithorn, Hugh Hathorn ; Forres, William Forbes ; Sanquhar, George Irving.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses.

Preses.

2. The committee takeing into consideration the state of the unfree trade remitted to them by the last general convention and being informed by the agent that there were several persons in the towns of Musselburgh, Aberdour and Lymekilns, who carried on a considerable trade and had not yet accepted of the communication from the burrows, the committee doe therefor appoint their preses to write to the cheif inhabitants in the said towns to attend the convention upon the ninth of July next when the tax roll will be under consideration that they may be forced to compound for their said trade, which was accordingly done.

Act anent
Musselburgh,
Aberdour, and
Limekilns.

26 June 1730.

Patrick Lindsay, lord provost of Edinburgh ; North Berwick, Sir Robert Sederunt. Dalrymple ; Dumbar, Captain James Fall ; Forres, William Forbes ; Sanquhar, George Irving ; Irving, John Din.

EDINBURGH.
26 June 1730.

Preses.
Fish debentures.

1. Patrick Lindsay elected preses.
2. The proprietors of fish debentures represented that notwithstanding the memorial to the barrons of exchequer complaining of the nonpayment of their debentures no payment had yet been made and therefore that they were resolved to commence a suit in the court of exchequer against the commissioners for obtaining redress, and they craved the concurrence of the agent conform to the 28th act of last convention. The committee agreed and resolved accordingly.

GENERAL CONVENTION *held at* EDINBURGH.

EDINBURGH.
7 July 1730.
Sederunt.

Edinburgh, James Nimmo and John Keir; Pearth, Robert Robertson; Dundee, Alexander Robertson; Aberdeen, William Cruickshank; Stirling, John Erskin; Linlithgow, Thomas Ronald; St Andrews, William Douglas; Glasgow, John Stirling; Ayr, Thomas Garvine; Haddington, Archibald Miller; Dysert, Thomas Spence; Kirkaldie, James Jeffrie; Montrose, John Coutts; Coupar, Thomas Greig; Anstruther Easter, Philip Miller; Dumfreise, James Corrie; Inverness, Duncan Forbes; Bruntisland, John Hog; Innerkeithing, Henry Cunningham; Kinghorn, Thomas Miller; Brechin, John Knox; Irving, William M'Taggard; Jedburgh, William Douglas; Kirkcudbright, William Gordon; Wigtoun, Alexander Campbell; Pittenweem, Robert Borthwick; Dumfermling, Mr John Walker; Anstruther Wester, Mr Philip Anstruther; Selkirk, Robert Mercer; Dumbarton, Mr George Smollet; Ranfrew, William Somervell; Dunbar, James Fall; Lanerk, John Russell; Aberbrothock, Patrick Wallace; Elgin, William Forbes; Peebles, John Ramadge; Craill, Mr John Lumsdean; Tain, George Master of Ross; Culross, James Adam; Banff, James Shand; Whithorn, William Agnew; Forfar, Alexander Binning; Rothesay, Givin Vaughan; Nairne, Hugh Orr; Forress, Mr Hugh Forbes; Rutherglen, David Scott; North Berwick, Sir Robert Dalrymple; Cullen, Mr George Ogilvie; Lauder, John Moffat; Kilrenny, Mr David Bethun; Annan, Bryce Blair; Lochmaben, Robert Robertson; Sanquhar, George Irving; New Galloway, William Veitch; Dingwall, Sir Robert Monro; Dornock, Mr John Baillie; Queensferry, George Dundas; Fortross, John Davidson; Kintoir, Mr Robert Bruce; Inverurie, George Mearns; Wick, Patrick Dunbar; Inverbervie, Mr Charles Maitland; Stranraer, Mr Hugh Dalrymple; Campeltoun, Alexander Fraser Lord Strichen; (two burrows *blank*).

7 July 1730.

Preses.

Committee on
commissions.

1. The right honourable Patrick Lindsay, lord provost of Edinburgh, elected preses.
2. Appointed a committee to revise the commissions.

3. Approved of report of committee and of the commissions therein mentioned, "and remitt to the committee on the commissions to bring in ane overture for oblidging the burghs to send up their commissions more agreeable to the platform in time comeing." EDINBURGH.
7 July 1730. —
Commissions
approven.
4. Remitted the missive to a committee. Missive.
5. Approved of commission from the burgh of Dysert. Dysert.
6. Authorised the agent to pay to Mary Thomson, relict of Robert Bruce, bailie in Kintore, (1) £15 allowed by last convention to Sir Robert Forbes, she having "alimitted him and kept him in her house," and (2) £6 allowed to her deceased husband; and also to pay to Mr Edward Bunkell, son of Bailie Bunkell in Linlithgow, now deceased, £6 allowed the latter by last convention. Supplis
allowed last
convention.
7. Remitted the agent's accounts to a committee. Agent's
accountts.
8. Remitted to a committee petition from Kirkudbright setting forth the low condition of the burgh and praying for relief. Kirkudbright.
9. Approved of proceedings of the annual committee since July last, and remitted to the committee on the commissions to consider what is necessary further to be done in matters depending before the committee. Proceedings of
annual com-
mittee.
10. Remitted state of the unfree trade and of the staple port to the committee on the agent's accounts. Unfree trade,
staple port.
- 11-12. There were presented and appointed to lie on the table, (11) proceedings of commissioners and trustees for improving manufactures for year ending at Christmas last, and (12) account of general receiver of his receipts and payments by warrant of these commissioners. Manufactures.

8 July 1730.

13. Approved of commissions from certain burghs. Commissions
approven.
14. Delayed till next convention consideration of reports anent Coupar, Coupar,
Rothsay,
Nairn.
Rothsay, and Nairn.
15. Appointed certain articles in the missive to be continued till next convention with the following variations and additions:—
The article anent the residence of burgesses within burgh, "with this variation that in place of distinguishing between free and unfree this head should comprehend every person in general without distinguishing them, and that the royal burrows should be oblidged not only to send up to every annual convention lists of such freemen as trade within their several districts and doe not reside within any royall burrow or within any burgh of barrony or regality that have accepted of the communication of trade but also of all unfreemen, with a particular account of their residence and branches of trade wherein they deal, and of the ports and creeks where they load and unload, under the penalty of sixty pounds Scots to be paid by every burgh offending, the one half to any person who shall

EDINBURGH.
8 July 1730.

Salmond.

give information thereof soe as the offender shall be convict and the other half to the agent toward defraying the charge upon the missive."

Also this addition to the ninth article: "That whereas complaint has been made that several frauds have been committed in the cureing and packing of salmond for exportation and that by using casks under the legal gadge, mixing old salmond with new, cutting out the bellys of the fish and putting ane over quantity of salt in each barrell, all which tend manifestly to discredit the reputation of our fish at forreign mercats and to ruine the trade, they recommend it to the magistrats of all burghs in whose neighbourhead salmond fishing are to get the laws put in execution against offenders and to oblige their inhabitants who are either proprietors of salmond fishings or purchasers of salmond for export narrowly to inspect into these abuses and rectify them all in their power, as also that they give commission to the wreck and curemasters to inspect the salmond in the same manner as they doe the herring fishing."

Tax roll.

16. Approved of recommendation of the committee that the tax roll should be altered, and remitted to a committee to proportion the same.

Kirkcudbright.

17. Remitted to a committee to visit and report upon the condition of the burgh of Kirkcudbright.

Brandy and
foreign spirits.

18. Having considered "the pernicious consequences of the clandestine running of brandy and other forreign spirits," the convention remitted to the burghs of Haddingtoun, Inverness and Annan to prepare an overture thereanent.

Fish debentures.

19. Remitted to a committee "to prepare the draught of a letter to the Earle of Ilay anent fish debentures."

Petitions
unfree trade.

20. Remitted petitions from Borroustounness and Down and from Thomas Mathie in Cockeny, with the state of unfree trade, to the committee on the tax roll.

Staple port.

21. "Remitted to the committee on the agent's accounts memorial from the conservator in relation to the staple port.

Land tax act.

22. Remitted to the annual committee to write members of parliament "to procure a clause to be added to the land tax act to prevent any stop to the payment of cess by suspensions or summar complaints."

Tayn allowed
to elect a
third baillie.

23. It being represented to the convention by the commissioner of the burgh of Tayne that the said burgh laboured under a great inconveniency by reason the sett of their burgh did only allow them to elect two baillies, soe that the town was some times without a magistrat by reason of their occasional absence; which being considered by the convention they grant warrand to the town councill of the said burgh to elect a third baillie at their next annual election and in time comeing incase they shall think proper; and appoints this to be recorded with the sett of the said burgh.

10 July 1730.

24. Approved of report by the committee appointed to proportion the tax roll as follows, and appointed it to be the rule of payment of cess and missive dues for two years till July 1732. EDINBURGH.
10 July 1730.

	Proportions of Tax Roll.	Proportions of £2.*		Proportions of Tax Roll.	Proportions of £2.*
Edinburgh . .	£34 10 0	...	Culross . .	£0 2 0	£1 1 3
Pearth . .	3 8 0	...	Banf . .	0 7 0	2 2 6
Dundee . .	4 18 0	£31 17 6	Whithorn . .	0 1 0	0 7 1
Aberdeen . .	5 18 0	...	Forfar . .	0 4 0	2 2 6
Stirling . .	1 8 0	9 18 4	Rothsay . .	0 3 0	1 8 4
Linlithgow . .	1 2 0	8 2 11	Nairne . .	0 3 0	1 1 3
St Andrews . .	0 7 0	2 9 7	Forres . .	0 6 0	2 9 7
Glasgow . .	19 10 0	...	Ruthglen . .	0 4 0	1 15 5
Air . .	0 15 0	6 7 6	North Berwick	0 1 0	0 7 1
Haddington . .	1 6 0	8 10 0	Cullen . .	0 2 0	0 14 2
Dysert . .	0 3 0	1 1 3	Lauder . .	0 5 0	1 15 5
Kirkaldie . .	1 0 0	9 4 2	Kilrenny . .	0 2 0	0 14 2
Montrose . .	2 12 0	15 11 8	Annan . .	0 2 0	0 14 2
Coupar . .	0 10 0	3 10 10	Lochmaben . .	0 1 0	0 7 1
Anstruther Easter	0 5 0	1 15 5	Sanquhar . .	0 1 0	0 7 1
Dumfreise . .	2 6 0	...	New Galloway	0 1 0	0 7 1
Inverness . .	1 11 0	13 9 2	Dingwall . .	0 2 0	0 14 2
Bruntisland . .	0 4 0	2 2 6	Dornock . .	0 3 0	5 12 3
Innerkeithing . .	0 5 0	1 15 5	Queensferry . .	0 4 0	2 2 6
Kinghorn . .	0 9 0	2 9 7	Fortrose . .	0 2 0	2 2 6
Brechin . .	0 9 0	3 3 9	Kintoir . .	0 1 0	0 7 1
Irving . .	1 0 0	8 10 0	Inverurie . .	0 1 0	0 7 1
Jedburgh . .	0 17 0	6 0 5	Inverarie . .	0 1 0	0 7 1
Kirkudbright . .	0 6 0	2 2 6	Week . .	0 2 0	1 1 3
Wigtoun . .	0 5 0	2 2 6	Kirkwall . .	0 15 0	13 17 4
Pittenweem . .	0 4 0	1 8 4	Inverbervie . .	0 1 0	0 7 1
Dumfermling . .	0 16 0	6 0 5	Stranraer . .	0 3 0	1 1 3
Anstruther Wester	0 1 0	0 7 1	Campleton . .	0 2 0	0 14 2
Selkirk . .	0 9 0	3 10 10		£94 11 0	
Dumbarton . .	0 6 0	2 2 6	Agent for unfree		
Ranfrew . .	0 5 0	2 2 6	trade . .	3 9 0	...
Dumbar . .	0 10 0	2 16 8	The burghs men-		
Lanerk . .	0 10 0	4 5 0	tioned on the		
Aberbrothock . .	0 10 0	3 10 10	other syde . .	2 0 0	...
Elgine . .	0 17 0	7 1 8	Unfree trade . .	...	12 12 6
Peebles . .	0 8 0	3 3 9			
Crail . .	0 6 0	2 16 8			
Tain . .	0 3 0	1 8 4		£100 0 0	£240 0 0

* "Follows the sums which the underwritten burghs are to pay for each moneths cess payable by the royal burghs on accountt of the two pound on the other syde."

EDINBURGH.
10 July 1730.

Tax roll of
burghs of
barrony, &c.

25. Approved of report by committee appointed to consider the tax roll of the burghs of barony and regality and other unfree traders who have accepted of the communication of trade and ordained them to pay their proportions of the tax roll as follows till July 1732, viz. —

Eymouth	0	2	6	Kilwinning	0	0	6
Down	0	0	4	Stonehyve	0	1	0
Linktown	0	0	8	Weemys	0	1	6
Dunnikier	0	0	8	Peterhead	0	2	0
Leven	0	2	0	Airth	0	0	4
Ely	0	1	0	Dunce	0	1	0
Dalkeith	0	4	0	Caldstream	0	0	6
Prestonpans	0	5	0	Keith	0	0	6
Cockeny	0	1	6	Old Meldrum	0	0	9
Borroustouness	0	5	0	Turriff	0	0	4
Saltcoats	0	4	0	Kelso	0	2	0
Kilmarnock	0	2	0	St Ninians	0	0	6
Greenock	0	8	0	Falkirk	0	0	6
Aloa	0	2	6	Killimuir	0	2	0
Frazersburgh	0	1	6	Limekilns	0	1	0
Portsoy	0	1	0				

Down, Kil-
madock.

26. Having considered petition of the town of Down and report by a committee thereon the convention assigned to the petitioners the unfree trade of the parish of Kilmadock.

Leven.;

27. Remitted to the annual committee petition from the town of Leven.

Coupar,
Nairne,
Rothesay.

28. As recommended by committees who had visited the following burghs the convention allowed to the burgh of Coupar £200, Nairne £100, and Rothesay £100, all Scots money.

Trustees for
manufactures.

29. Having heard memorial from commissioners for fishing and manufactures the convention allowed the secretary a sum not exceeding £20 sterling yearly "for the rent of a proper office."

Limekilns.

30. Remitted to a committee to consider petition for the town of Limekilns.

Letter to the
Earle of Ilay
anent fish
debentures.

31. The committee appointed to draw up a letter to the right honourable the earle of Ilay anent the fish debentures presented the draught [which was approved of and ordered to be transmitted. The letter narrates the provisions of the act of parliament 7 Anne cap. ii. s. 10 as to allowance to exporters of fish, the delays in obtaining payment from the commissioners of excise on the excuse that the charges of the civil list had first to be met, and the application recently made to the barons of exchequer; and then proceeds thus:—]

If by the civil list the commissioners understand the fees and salaries of the three courts, the convention does not dispute their preference, which is founded on express law ; but if they mean any other demands not belonging to the three courts tho mentioned in the establishment, the dispute is concerning these and the convention apprehends that the precise words of the statute are invincible in favours of exporters of fish. They rely upon the common meaning and acceptation of words whether the act can be otherways constructed then as charging the dutys under the inspection of the commissioners of excyse with the payment of those debentures to which payment these dutys will for that reason be subject unless they are exempted by ane express provision in a statute. The convention might likeways represent it as a thing true in fact that the salaries of the officers of excyse have been of late considerably increased and consequently the net produce of the funds diminished and the payment of the debentures so far postponed, and if other uses are likeways to be found out soe as to be made preferable to them there is ane end of the merchants encouragement to export and with it of the smal fishing trade of this nation.

EDINBURGH.
10 July 1730.
Letter to the
Earle of Hay
anent fish
debentures.

Your Lordship will easily perceive how clamant this case is. The debentures now sell at 15 to 20 per cent discount which not only hurts the proprietors but discredits the revenue since it is certain that money is in the hands of the commissioners. The royal burrows of Scotland pay their cess by trade and as this delay of payment visibly tends to the diminution of trade the convention conceives it to be their duty to use all possible prudent measures in order to obtain redress. The experience which the convention have had of your lordships goodness and of your willingness to assist your country has encouraged them to lay this case before you. They leave it to your lordships wisdom to devise and pursue any proper expedient for removeing this stoppage of payment, the evill increasing dayly, and the method of legal prosecutions being by no means eligible if any other can be found. We are, my lord, etc. Edinburgh 10th July 1730.

32. Appointed the burgh of Aberbrothock to condescend on the names of Aberbrothock, such royal burghs as have not contributed for their harbour.

33. Remitted to the annual committee petition from the town of Mussel- Musselburgh. burgh.

34. Remitted to a committee petition from Charles Stewart craving to be Staple factor. admitted a staple factor.

- EDINBURGH.
10 July 1730.
Queensferry.
Dumbar, Dornock.
Act anent
Limekilns.
35. Allowed to the burgh of Queensferry £100 Scots toward the expense of repairing their harbour.
- 36, 37. Appoint committees to visit and report on the condition of the burghs of Dumbar and Dornock.
38. On report by the committee appointed by the 30th act of convention the agent was authorised to enter into a contract with the petitioners, Patrick Angus, James Anderson and Patrick Clerk, and their superior, for their paying for the communication of trade at the rate of one penny sterling in the tax roll.
39. In the agent's accounts of intromissions with unfree trade the charge, including £2151, 1s. 10d. Scots of last balance, amounted to £5569, 6s. 10½d. Scots; and the discharge (including £2150, 2s. paid to the general receiver and £60 "payment of partys for quartering") amounted to £2378, 10s. 4d., leaving a balance due by him of £3190, 16s. 6d.
40. In the agent's accounts of intromissions with missive dues he charged himself with £8000 Scots as missive dues and £2098, 7s. 8d. contained in George Smollet's bond, and his discharge, including sum in Smollet's bond, still resting, amounted to £10,015, 9s. leaving £82, 18s. 8d. Scots due by the agent.
41. The dues received by the conservator at the staple port having amounted only to £24, 16s. 6½d. sterling the agent was instructed to pay him £25, 3s. 5½d. to make up his allowance of £50. The committee on the accounts reported their opinion that "to render the observance of the staple contract more effectual a circular letter should be wrote by the convention to the magistrats of such burghs as export staple goods that they direct the merchants resideing in their burrows to carry their goods to the staple port and make their entrys full and exact and that the said letter should contain a list or specification of the staple goods and to certify that offenders are to be prosecuted by the agent to the royal burrows as breakers of the staple contract according to law." The convention approved of the report and remitted to the annual committee to write the circular letter referred to.
42. Appointed the balance due by George Smollet to be uplifted before next convention.
43. The convention having heard the draught of ane act for discouraging the running and consumpt of brandy and other forreign spirits unanimously approve thereof and appoint the same to be printed and a thousand coppys thereof to be cast off and furthwith transmitted by the agent to every royal burrow and to every burgh of barrony and regality who have accepted of the communication of trade, and als appoints the agent to buy up the printed coppys of the considerations upon the state of the nation as it is affected by the excessive use of forreign spirits and
- Agent's accounts.
- Staple port.
- Balance due by late agent.
- Act anent use of brandy, &c.

to transmitt them with the coppys of the said act ; and of which act the tenor follows :—

EDINBURGH.
10 July 1730.

44. The general convention of the royal burrows of Scotland having taken under their consideration the many pernicious effects of the clandestine importation and open and excessive consumption of brandy within Scotland, and it appearing evidently to them that great sums of money are yearly exported for purchasing this unnecessary commodity, which being run without payment of duty is sold cheaper than spirits distilled in Scotland can be afforded for and is therefor universally used to the total discouragement of the distillery at home and to the lessening the pryce of the grain of this country which were it manufactured and used in spirits might fully supply the rounge of brandy and all other forreign spirits and save so great ane expense of money to the nation ; it appearing also to the convention that the common and excessive use of brandy which pays no duty, by hindering the manufacturing grain into bear, ale and spirits, reduces greatly the publick revenues and thereby narrows the funds out of which all bountys and allowances for exportation of fish and corn are payable and by the overpluses whereof the plan for promoting fisherys and manufactures in Scotland can alone be carried into execution, and it appearing further to the convention that the constant frauds committed in the running trade have been extreemly noxious to the fair deallers and have forced them to leave off business at the same time that it gives the convention to see the unwarry people that deall in that unlawfull commerce imploy their whole stock and industry in a trade which seldom turns out to their own advantage, and infallibly must end if continued in the ruine of the country, in place of imploying their abilitys and their fortunes in search of honest gains by increasing purchasing and exporting the product and manufacture of the kingdom, doe therefor in the most earnest manner recommend to all the royal burrows and to all the burghs of barrony and regality who have accepted of the communication of trade, and to the whole inhabitants within the same, as they regaurd the welfare of their country, the preserving the bullion within the nation, the prosperity of trade and the support of the fisherys and manufactures, to charge and require them and each of them that without loss of time they doe forthwith apply themselves by all lawfull

Act against
brandy and
other forreign
spirits.

EDINBURGH.
10 July 1730.
Act against
brandy and
other forreign
spirits.

means whatsoever to stop and effectually to hinder the furdur clandestine importation of brandy and other forreign spirits, and that they doe with- in their several burghs, as soon as conveniently may be, consult, concert, devise and putt in execution such measures and means consistant with the laws as may most effectually discourage and prevent the useing, vending and retailing for the future such brandys and other forreign spirits clandestinely run as aforesaid, and that each of the said burrows doe give notice as soon as possible to the annual committee who are appointed to sitt after the dissolving of this convention of what they shall have deuised, concerted and done as aforesaid in consequence of this recommendation and what success their measures shall have had, and to correspond with and receive advice and directions from time to time from the said annual committee concerning the same.

Dalkeith.

45. Remitted to the annual committee petition from the town of Dalkeith.

Aberbrothock.

46. Recommended certain burghs, 56 in number, "to make their voluntar collections for the peer and harbour of Aberbrothock."

11 July 1730.

Agent at
London.

47. Appointed the agent to pay to the agent at London, £15, 2s. 6d. sterling disbursed in the burghs' affairs.

Contracts and
papers.

48. Appointed the late agent to deliver up all contracts and papers in his hands belonging to the burghs' affairs.

Elgine.

49. Authorised the burgh of Elgine to feu their Barron Muir and to report the feu contracts to the annual committee.

Forreign
spirits.

50. Remitted to the annual committee to consider memorial from the distillers in Glasgow "and to advise with lawiers thereanent and to doe every thing proper for the effectuell prohibition of forreign spirits."

Application
against
Skirries lights.

51. There was ane application made by the burgh of Irving setting forth how prejudicial it was to navigation if those concerned in Skirres lighthouse near Hollowhead in England should obtain from the parliament ane act imposing two pence per tun upon ships or vessells passing thro' St Georges Channel; which being considered by the convention they remitt to the committee that shall be appointed to sit after dissolving of this convention to consider the said application and to doe therein as they shall find most for the intrest of the royal burrows.

Copper coyne,
unfree trade,
customs.

52-54. Remitted to the annual committee (52) "to endeavour to procure a

quantity of copper coyne without charges to the burrows"; (53) to consider petition of Patrick Angus, merchant in Lymekilns, craving an assignment to the unfree trade of Torieburn; and (54) to do with unfree traders as shall seem meet in the interest of the burghs; and to meet with the commissioners of customs and endeavour to settle a table of fees.

EDINBURGH.
11 July 1730.
Copper coyne,
unfree trade
customs.

55. Annual committee appointed.

Annual com-
mittee.

56. Allowed to Robert Finnie, late provost of Ranfrew; Mary Thomson, relict of Robert Bruce, late bailie in Kintoir; David Younge, late bailie in Brechin; and Andrew Harvie, late provost of Rutherglen, £100 Scots "of supply equally amongst them."

Agent to
pay supplis.

57. Appointed the agent to pay certain salaries and gratuities.

Agent to pay
salaries, etc.

58. Dissolved the present convention and appointed next to be held at Edinburgh on the first Tuesday of July 1731.

Convention
dissolved.

MEETINGS OF ANNUAL COMMITTEE *held at* EDINBURGH.

13 July 1730.

Edinburgh, James Nimmo; Glasgow, John Stirling; Innerkeithing, John Cant; Irving, William M^cTaggart; Forress, Mr Hugh Forbes; Sanquhar, George Irving; Dingwall, Alexander Jolly.

EDINBURGH.
13 July 1730.
Sederunt.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses.

Preses.

2. Referring to the 25th act of last convention the committee instructed the agent to consult his Majesty's advocate thereanent.

Unfreetraders.

3. Referring to the 41st act of last convention the committee directed the agent "to despatch the said letters to the said burghs amongst with the acts anent the brandy and forreign spirits and to inclose a note of the staple goods to each of the said burghs."

Letters to the
exporters of
staple goods.

4. Referring to the 45th act of last convention the committee appointed the agent to assist several traders in the town of Dalkeith in their law suit against the other inhabitants to oblige them to contribute in payment of cess.

Dalkeith.

5. Appointed the agent to take advice as to memorial by the distillers of Glasgow, and thereafter the committee will commune with the commissioners of customs thereanent.

Memorial
anent distillers.

6. The committee having heard a memorial from the commissioners for the burgh of Irving anent the duty of two pence per tun upon all ships passing thro' St Georges Channell for the support of Skerries lighthouse they appoint their preses to wryte to John Louthier, member of parliament for Whithaven, to join his intrest with the Scots members

Act anent
Skerries light-
house.

EDINBURGH.
13 July 1730.
Act anent
Skerries light-
house.
Limekilns.

in opposeing any patent for the said duty and that he would be pleased to inform the committee what steps had been taken by the proprietars of the said light house toward obtaining the said patent that the same may be laid before the members for the burrows.

Custom house
fees.

7. Impowered the agent to assign to the traders of Limekilns the unfree trade of Torryburn on their agreeing to pay for the communication of trade at the rate of 12d., being their present proportion of the tax roll.

8. Appointed the preses and others to confer with the commissioners of customs anent the fees exacted by the custom house officers.

5 January 1731.

Sederunt.

Edinburgh, James Nimmo and John Keir ; Linlithgow, James Glen ; Glasgow, Alexander Finlayson ; Montrose, John Coutts ; Dumbarton, Mr George Smollet ; Craill, John Lumsdean ; Whithorn, Hugh Hawthorn ; Rothesay, Guyan Vaughan ; Forres, Mr Hugh Forbes ; Northberwick, Sir Robert Dalrymple ; Sanquhar, George Irving ; Stranraer, Mr Hugh Dalrymple.

Preses.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses.

Memorial and
queries anent
unfree traders.

2. A memorial touching certain matters which were laid before his Majesty's advocat with his oppinion thereon were produced by the agent and were severally read, whereof the tenor follows :—

Memorial for the royal burrows of Scotland. Several burghs of barrony who have accepted of a communication to trade, and who have enjoyed the same for more as twenty years and who in consideration thereof have been taxed and payed their tax as they were rated in the tax roll, have of late declined to pay upon pretence that they have surrendered and resigned that priviledge to the convention and that thereby they are liberat from payment.

(1) *Queritur*. Whether are they at liberty to throw up that priviledge by a renunciation, and if they are not at liberty to doe it whether or not may distress by quartering be used against them at the instance of the general receiver of the land tax or at the instance of the burrow agent, and whether will a suspension from the court of session stay such distress? By the laws made settleing the communication to trade, namely, the act made in anno 1693 and the act made in anno 1698, the royal burrows are to have relief of a tenth part of their tax roll from the unfree traders, notwithstanding whereof

the royal burrows are not relieved for more 'as two pound five shilling which is little more than one fifth of what they are entituled to. This is occasioned by the inhabitants of burghs of barrony and regality and other persons over all the country who are unfree their carrying on trade by export and import and by retail of forreign goods bought from unfreemen. By the 12th act anno 1690 the priviledge of import and export under certain exceptions therein mentioned belongs to the freemen inhabitants of royal burrows ; and by the aforesaid acts 1693 and 1698 this priviledge is extended to burghs of barrony and regality who have accepted of the said communication. By the said act 1690 the priviledge of retailing forreign commodities is given to the burghs of barrony and regality provydeing they buy them from freemen of royal burrows.

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1731.
Memorial and
queries anent
unfree traders.

(2) *Quæritur*. As the laws now stand what remedies are competent to the royal burrows for restraining burghs of barrony and regality who have not accepted of the said communication and other unfreemen from tradeing by import or export of goods that are not comprehended under the exception in the act 1690 and from retailing forreign goods bought from unfreemen, and particularly whether the goods belonging to unfreemen are seizable summarly if found within the libertys of any royal burrow, or if found out of any royal burrow may be arrested by a warrant from the judge ordinary and upon tryal before the judge ordinary may be confiscated one half to the crown and the other to the burgh apprehending, and whether according to the act 1633 in favours of the royal burrows and acts therein referred to, may not unfree traders be charged by letters of horning proceeding upon a list signed by the agent against them to find caution that they shall not trade by export and import as settled by the act 1690, or that they shall not retail forreign commodities bought of unfree men, and whether a declaratory action upon the laws beforementioned might not be insisted in against them for finding and declairing that they ought to cease from tradeing by export or import as settled by the act 1690 and from retailing forreign commodities bought of unfreemen under the penaltys mentioned both in the acts 1672 and 1633.

The convention have ordered that proper processes should be intended and carryed on till a final issue against such burghs of barrony or regality as have accepted of a communication to trade and who refuse

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5 January
1731.

Memorial and
queries anent
unfree traders.

payment of their proportion of the tax roll on pretence that they have surrendered the said communication, thereby to compell them to pay their arrears and to make them lyable in time comeing, and against such burghs of barrony and regality who have never accepted regularly of the said communication and who notwithstanding thereof doe carry on a trade, some by export and import, others by retail of forreign goods bought of unfreemen, and against such unfreemen as trade by export and import and by retail of forreign goods bought of unfreemen, tho' they doe not reside in any burgh that has a freedom to trade.

(1.) *Queritur.* What processes shall be intended, upon what laws shall the lybells be made, and what shall be the conclusion and before what court ?

(2.) Whether with respect to the burghs of barrony that doe dail in English goods, will such dealings be understood as a trade in forreign commodities notwithstanding of the treaty of Union, English goods being reckoned forreign before the Union and the trade therein as such being then belonging to the freemen of royal burrows ?

(3.) What is necessary to establish a regular acceptance of the communication to trade and whether is it when regularly accepted perpetual or may the acceptors or the convention resile therefrom at their pleasure ?

Follows the answer by his Majesty's advocat :—

Answers to the
queries.

Having considered the memorial on behalf of the royal burrows with the queries thereto annexed, in answer to the 1st, I am humbly of oppinion that where any burgh of regality or barrony has accepted of the communication of trade and has thereby become lyable to a proportion of the land tax in relief of the cess payable by the royal burrows they are not at liberty to exeem themselves from that burden by renunceing the priviledge of the communication of trade, which by ane express clause of the 30th act sess. 4th par. 1, William and Mary, anno 1693, intituled ane act for the communication of trade, is made perpetual and declared to continue for ever to such burghs as shall accept of the same ; and because by another clause in the same act which provydes that sicklyke execution shall pass against the said burghs accepting of the communication as aforesaid for inbringing the proportion of the burden to be payed by them as is usual for inbringing the cess payable to the crown by the

royal burrows. I am also of opinion that distress by quartering may be directed against them at the instance of the receiver general in the same manner as it might be directed against any royal burrow. And it is furdher my oppinion that such execution cannot regularly be suspended by the court of session, the act of parliament having pointed out the propper remedy in case of any complaint, viz., by application to parliament; but at the same time should that reason of suspension be laid not upon any injustice in the assessment but upon ane other plea, which they may pretend to, that they have a power of renouncing the communication of trade and that the clause of the statute above recited does not tye them continually to hold to that communication but puts it only in their power to enjoy it if they shall think fitt to pay the proportion of the burden, the lords of session would be judges of the construction of that clause in the act tho on the supposition that their judgment lay in that particular against the complaining burgh of barrony they could not relieve them on the pretence of unequality in the quota assessed.

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1731.
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queries anent
unfree traders.
Answers.

To the 2d, the remedys compitent to the royal burrows for restraining the trade of unfreemen result from the consideration of three different statuts, the act 1633, the act 1672 and the act 1690, from compareing which it's my humble oppinion:—(1) That goods imported belonging to unfreemen found within the precinct of any royal burrow may summarly be seized and forfeited without resorting to any other jurisdiction but that of the burgh for apprehending and condemning them, and that toward putting this law in this respect to due execution each royal burrow may employ and give commission to any of their inhabitants whom they think fitt to look after, seize and carry into condemnation, such goods belonging to unfreemen as fall under forfeiture and are to be mett with within their precincts. (2) That as to the goods of unfreemen falling under forfeiture as aforesaid which are not found within the precinct of any royal burrow they cannot summarly be seized or condemned by authority of any royal burgh as aforesaid but must be proceeded against by authority from the magistrat of the place where such goods are found, and that therefor the person commissioned as aforesaid to look after unfreemen's goods receiving information of such goods lying outwith the

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1731.

Memorial and
queries anent
unfree traders.
Answers.

precinct of any burgh must apply to the judge ordinary, the shirriff for example or steward, and upon their warrant arresting the goods must sue to have them declared forfeited and to recover them the one half for the use of the crown and the other half for the use of the burrow under whose commission he acts. (3) It appears to me that by the acts of parliament, and particularly by the act 1633 and the act 1607 therein referred to, and also by the act 1672, one great security proposed against unfree traders was that they were lyable to be charged with horning to find caution that they should not transgress the law, and for obtaining this caution general letters were used. Now tho' the act 1690 in the clause which reserves to the royal burrows all manner of execution compitent to them by the act 1672 excepting general letters suffers that remedy to be abolished and to fall under the verry next act of the same session, which discharges general letters excepting in the cases therein excepted, I apprehend each individual can be still charged with horning to find caution, and I doe not see a good reason why the court of session may not allow more persons than one to be charged in virtue of the same letters providing they are seperatly named and described therein which seems to avoid all the inconveniency of general letters at the same time that it takes the case out of the description of general letters that are by law prohibited. When such letters are suspended the suspension ought to be discust except the caution given shall be agreeable to the will of the letters, and the issue of such suspension will satisfy the burrows what benefit they are to expect from this remedy or if they must not look after another. Should the lords disallow of hornings such as are mentioned the next thing to be essayed seems to be a declarator against any unfree burgh to be pickt out as an example for settleing the case by, who may be called as a burgh at the same time that each trader therein is seperatly cited and concluded against, to hear and see it found and declared that they ought to desist, &c., and that each individual ought to find caution, &c. In this declarator the several incapacities and penaltys attending unfreemen ought to be declared as also the manner in which the royal burrows apprehend they are intituled to execution against them. The decret upon such action will determine how the law stands in the opinion of the court of session and if that shall be favourable to the royal burrows its

likely the unfreemen may without giving much further trouble submit. EDINBURGH.
This is the humble opinion of (*sic subscribitur*) DUN. FORBES. Edin- 5 January 1731.
burgh 23rd December 1730.

3. With reference to the foregoing answer to the above queries the meeting appointed a committee to meet with the receiver general of the land tax and prevail with him to issue orders for quartering against such burghs of barony and regality as are in arrear to the royal burghs. Anent orders for quartering.

4. Appointed the agent to transmit the second answer to the memorial to such of the royal burghs and burghs of barony and regality as have sea port towns in order to their following forth the remedies therein directed. Unfreetraders.

5. Referring to the answer to the third query the committee appointed the agent to raise letters of horning against such persons or burghs as should be given to him in a list. Horning against unfree traders.

6. Having considered a list of unfree traders given in by the burgh of Inverness the committee instructed the agent to raise letters of horning against William Sutherland of Holmshill, William Frigg in Findorn and George Wisheart in Cromarty, charging them to desist from carrying on trade contrary to the privileges of royal burghs. Horning against certain unfree traders.

7. Recommended to the burghs of Sanquhar and Stranraer to bring in the draught of a letter to members of parliament for procuring a clause in the land tax bill to prevent suspensions against ingathering of the burghs' proportion. Land tax bill.

8. Recommended to Glasgow and Sanquhar to prepare the draught of a letter to members of parliament as to the unlawful importation of foreign spirits, and instructed copies of the memorial of Glasgow merchants to be given to the boards of custom and excise. Foreign spirits

9. Allowed Mr James Ferguson of Pitfour and John Forbes of Kincardine to inspect the instructions of the agent's accounts for the year 1724 in order to see in what manner the balance due to Sir Robert Forbes late agent was paid up. Balance due to Sir Robert Forbes.

1 March 1731.

Edinburgh, James Nimmo and John Keir; Glasgow, Alexander Finlayson; Montrose, John Coutts; Whithorn, Hugh Hathorn; Sanquhar, George Irving; New Galloway, William Veitch; Dingwall, Alexander Jolly; Inverbervie, Mr Charles Maitland. Sederunt.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses. Preses.

2. The subcommittee appointed to bring in the draught of a letter to the members of parliament for procuring a clause in the land tax bill to Letter to the members of parliament.

EDINBURGH.
1 March 1731.
Letter to the
members of
parliament.

Land tax.

Haukers and
pedlars.

Foreignspirits.

Skeeries light-
house.

Soap and
candles.

prevent suspensions and others [gave in the following which was approved].
Sir,—The annual committee of the royal burrows have laid their commands upon me to lay before yow and their other representatives in parliament the following particulars which they humbly apprehend verry much concern the state of burrows in particular and this part of the United Kingdom in general. Last year a stop to the levying of the land tax charged on the town of Dundee was endeavoured by an inhabitant there wherein if he had prevailed it would have made it impracticable to have ingathered the burrows proportion of that tax which deserves a remedy by a proper clause in the land tax bill. Attempts were made to parliament last session for restraining haukers and pedlars and should that be granted it would be of most pernicious consequence to this country. The excessive use of forreign spirits imported by smuglers is destructive to our manufactory here which persons of all conditions are now perswaded of from experience and have at heart to exert themselves to suppress it, but the laws in force against the same need some alterations and amendments which the committee have pointed out to the boards of customes and excyse and are hopefull that the same will be laid before the lords of the treasury by the commissioners of customs and excise and will be delivered yow in due time for your perusall. The patentees of Skeeries light-house near Hollowhead in England are continuing their endeavours to have the duty of two pence per tun extended upon all ships passing from this country thro' St George's Channell which will be a great discouragement to the navigation, especially to the west of Britain and some parts of the east of England who goe to France, Spain and other southern parts north about, which is of no manner of use to them. This ought therefor to be opposed, wherein Mr Louthier, member for Whithaven, and others in that part of the country of England will join with yow. As it is now surmised the dutys on soap and candles may be taken off could that be compassed nothing would more conduce to the encouragement and success of our manufactures. The committee from the experience which they have had of your good offices to your country are perswaded that yow will act in concert with their other representatives in parliament to forward what they herein point at, in such a manner as to yourself shall appear most expedient. With great esteem I am, [etc.].

3. In terms of the appointment of last sederunt the sealed instructions of the agent's accounts for 1714 were opened up, examined and resealed, in presence of the committee.

EDINBURGH.
1 March 1731.
Instructions of
agent's ac-
counts.
Dividend on
fishing co-
partnership.

4. On memorial for Patrick M'Dougal of Crichan setting forth that he, as executor creditor of Captain Thomas Agnew, had held a certificate for £20 stock in the Fishing Copartnership carried on by the burgesses of royal burghs, and that in consequence of the loss of the certificate the treasurer to the Merchants Maiden Hospital refused to pay his dividend unless the committee authorised him, the committee authorised the managers of the hospital and their treasurer to pay the dividend forth of the remaining price of the superiorities of Peterhead and Stonehyve yet in their hands.

25 March 1731.

Edinburgh, James Nimmo and John Keir ; St Andrews, William Douglas ; Sederunt. Irving, John Din ; Dunbarton, Mr George Smollet ; Dumbar, James Fall ; Sanquhar, George Irving.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses.

Preses.

2. Upon application from the cordiners of Edinburgh and Glasgow shewing that there is a design to have a bill presented in parliament to disable all cordiners from being tanners which if it should pass would be a great detriment to the whole incorporations of cordiners in royal burrows and is directly contrair to their seals of cause ratified in parliament, and therefor craving the committee would give such directions therein as they should think proper ; which being considered by the committee they appoint a letter to be written to the representatives of the royal burrows in parliament to oppose the same ; as also that the bill depending in parliament for making the proceedings of courts of justice in English may extend to Scotland and recommend to the lord provost of Edinburgh, their preses, to sign the same, the tenor whereof follows :—Sir,—The committee of the royal burrows being informed that a project is sett on foot to have a bill brought in to extend to Scotland ane act made in the parliament of England 1^o James whereby all cordiners are disabled from being tanners, have ordered me to desire yow in concert with their other representatives in parliament to oppose the same as being a manifest incroachment on the seals of causes granted to the cordiners of royal burrows which are ratified in parliament and secured to them by the twenty first article of

Application by
cordiners of
Edinburgh
and Glasgow.

EDINBURGH.
25 March 1731.
Application by
cordiners of
Edinburgh and
Glasgow.

the treaty of union. Nor could this be of any benefit to the revenue nor would it tend to the meliorating of that manufacture. Further it must necessary highten the price of that commodity to ane extravagant rate for several years; at least till there were so many tannerys set up as could answer the demands of the country or the country must be served by importation. Mr William Hamilton is directed to waitt upon yow and if necessary to petition to be heard by councill. The committee doe observe that a bill is depending for makeing all the proceedings of the courts of justice in English, &c. They wish heartily that it may reach Scotland and comprehend the court of exchequer, chancery and all other offices, and all deeds, instruments and writeings; and if its yet practicable they desire it may be done. They directed me to make yow their complements and they doe depend on your exerting yourself in their particulars. I am, [etc.].

15 June 1731.

15 June 1731.
Sederunt.

Glasgow, Alexander Finlayson; Elgine, William Forbes; Dingwall, Alexander Jolly; Rutherglen, John Bogle; Craill, John Lumsdean; Montrose, John Coutts; Sanquhar, George Irving; North Berwick, Sir Robert Dalrymple; Week, Patrick Dunbar; Forres, George Dunbar; Whithorn, Hugh Hathorn; Tayne, George, master of Ross.

Preses.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses.

Musselburgh.

2. Agreed with the magistrates and council of Musselburgh that the inhabitants of that burgh should have the benefit of trade for nine years on relieving the royal burghs of a penny sterling in the tax roll.

Lanark.

3. Remitted to the consideration of next annual committee letter from the magistrates of Lanark with a list of unfree traders in their neighbourhood.

5 July 1731.

5 July 1731.
Sederunt.

Edinburgh, John Keir; Glasgow, Alexander Finlayson; Irving, John Din; New Galloway, William Veitch; Sanquhar, George Irving; Whithorn, Hugh Hathorn.

Preses.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses.

Quartering on
unfree burghs.

2. The subcommittee who were appointed to confer with the receiver general touching the using of quartering at his instance for recovery of the proportions of cess that are charged upon such burghs of barrony and

regality as have accepted of a communication to trade and have been in use of payment but now refuse to pay upon pretence of renunciations and such like frivolous pretences, reported that they have accordingly had a conference with the receiver general and he is most willing to aid and assist the royal burrows in everything that he can lawfully doe, and that when he shall use quartering upon the agent and that the agent shall deliver into him a signed list of deficiencies the party shall be ordered to quarter according to that signed list, and therefor and for other favours and civilities done by the receiver general to the burrows the subcommittee were humbly of oppinion that the next general convention should make him a present of (*blank*) guineas to be payed by the agent; which being considered by the committee they remit to the next convention to direct the quantum.

EDINBURGH.
5 July 1731.
Quartering on
unfree burghs.

GENERAL CONVENTION *held at* EDINBURGH.

Edinburgh, John Osburn and John Keir; Pearth, Robert Robertson; Dundee, Alexander Robertson; Aberdeen, William Cruikshank; Stirling, John Erskin, esq.; Linlithgow, Mr James Glen; St Andrews, William Douglas; Glasgow, Peter Murdoch; Ayr, James Montgomery; Hadingtoun, Mr Robert Dundas; Dysert, David Reddie; Kirkaldie, James Jeffrey; Montrose, George Murison; Coupar, Thomas Greg; Anstruther Easter, Thomas Whyte; Dumfreise, Andrew Crosbie; Inverness, Mr Duncan Forbes; Bruntisland, John Hogg; Innerkeithing, Henry Cunningham; Kinghorn, Mr Thomas Lyon; Brechin, John Knox; Irving, John Din; Jedburgh, William Robson; Kirkudbright, William Gordon; Wigtoun, John M'Gowan; Pittenweem, Robert Clelland; Dumfermling, Charles Chalmers; Selkirk, Robert Mercer; Dumbarton, Mr George Smollet; Ranfrew, John Somervell; Dumbar, Capt. James Fall; Lanerk, John Russell; Aberbrothock, Patrick Wallace; Elgine, William Forbes; Peebles, John Ramadge; Craill, Mr John Lumsden; Tain, George, master of Ross; Culross, John Ronald; Banf, William Duff; Whithorn, William Agnew; Rothesay, Guyn Vaughan; Forress, William Forbes; Ruthglen, Andrew Leitch; North Berwick, Alexander Lauder; Cullen, Mr George Ogilvie; Lauder, John Moffat; Kilrenny, Henry Bethune; Annan, Bryce Blair; Lochmaben, Sir James Johnstoun; Sanquhar, John Crighton; New Galloway, William Veitch; Dingwall, Sir Robert Monro; Dornock, John Baillie; Queensferry, Mr John Dundas; Wick, Patrick Dunbar; Kirkwall, John Hay; Inverbervie, Mr Charles Maitland; Stranraer, Mr Hugh Dalrymple; Campeltoun, Alexander Fraser lord Strichen. (Six burghs *blank*.)

EDINBURGH.
6 July 1731.
Sederunt.

6 July 1731.

EDINBURGH.
6 July 1731.Preses.
Committee on
commissions.
Commissions
approved.
Forres.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses.
2. Appointed a committee to revise the commissions.
- 3, 4 Approved of commissions and of report of committee thereon.
5. In regard the commission from Forres is to William Forbes, already nominated for St Andrews, the convention excused Forres from having a commissioner.

Missive.
Proceedings of
annual com-
mittee.

6. Remitted the annual missive to a committee.
7. Approved of proceedings of the annual committee, "and appoint the agent to pay to the receiver general fourty guineas of gratuity for his trouble in issuing his orders of quartering upon the burghs of barrony and regality who are deficient in payment of their cess and for his other civilities in the concerns of the burrows."

Fish debentures.

8. Appointed the agent to pay £40, 17s. 2d. for expenses of proceedings in the court of exchequer for payment of fish debentures in which the merchants, whose part the convention took, were successful.

Agent's accounts, &c.

9. Remitted the agent's accounts to a committee who were also appointed to consider the state of unfree trade and the staple port.

Factor at
staple port.

10. Remitted to the above committee petition of David Gregory, merchant in Aberdeen, to be admitted a factor at the staple port in place of George Gregory, deceased.

Fisheries and
manufactures.

11. There were presented report by commissioners on fisheries and manufactures and account of payments made by their order, both of which were appointed to lie on the table for perusal of the members.

7 July 1731.

Missive.

12. On report by committee on the missive the convention continued certain articles as heads of next missive.

Dornock.

13. Delayed consideration of report from visitors of Dornock till report on agent's accounts received.

Austruther
Easter.

14. Appointed a committee to visit Anstruther Easter and report its condition to next annual convention.

Ayr.

15. Delayed consideration of petition from Ayr till report on agent's accounts received.

Haddington.

16. Remitted to a committee petition craving ratification of a feu right by Haddington of 130 acres of Gladsmuir.

Pittenweem.

17. Authorised the annual committee to do as they see cause with reference to dispute between the burgh of Pittenweem and Lady New Wark as to a common muir.

18. Delayed consideration of petition from Aberbrothock till report on agent's accounts received. EDINBURGH.
7 July 1731.
19. Remitted to a committee to inquire into the condition of the burgh of Leven. Aberbrothock.
Leven.

8 July 1731.

20. Approved of commissions received from Linlithgow, Cullen and Kilrenny. Commissions
approven.

21. Approved of reports on agent's accounts of unfree trade. Charge (including £3190, 16s. 6½d. of last balance) £5279, 6s. 3½d.; discharge, £2967, 19s. 7¾d.; balance due by agent, £2311, 6s. 7¾d.; all Scots money. Agent's ac-
counts of
unfree trade.

22. Approved of report on agent's account of the missive dues. Charge : —Balance of last account, £82, 18s. 8d.; missive dues, £9000; George Smollet's bond, £2195, 19s. 8d.; total, £11,278, 18s. 4d. Discharge (including sums in Smollet's bond still owing) £10,240, 11s. 6d.; balance due by agent £1038, 6s. 10d. Agent's
accounts of
missive dues.

23. The fees received by the conservator for the preceding year having amounted to £14, 5s. 1d. sterling (computing at the rate of 22d. the gilder) the agent was instructed to pay him £35, 14s. 11d. to make up £50 sterling allowed him to maintain a depute. The agent was also instructed to pay the conservator his salary of £50 sterling conform to the 20th act of convention 1728. Conservator's
fees.

24, 25. Agreed to admit David Gregory, merchant in Aberdeen, and Charles Stewart, depute conservator at Camphere, to be factors at the staple port, and remitted to the annual committee to give them commissions in usual form; but Stewart not to be continued in the office of depute conservator after his admission as factor. Factors at
staple port.

26. On report by the committee appointed by the 16th act the convention ratified feu right by the burgh of Haddington to John Nairn, it being "a rational deed and beneficial to the burgh." Haddington.

27. Allowed to Dumbarton £20 sterling to help to defray expenses of law suits mentioned in that burgh's petition. Dumbarton.

28. Allowed to the burgh of Kirkcudbright £20 sterling "toward repairing their church, tolbooth and other publick works." Kirkcudbright.

29. Allowed to the burgh of Dornock £5 sterling "toward the repairing of their tolbooth and town house." Dornock.

30, 31. Having heard petitions from Ayr and Aberbrothock these burghs were appointed to lay before next convention accounts showing what money had been bestowed on their harbours and other public works and supply other information as to their funds. Ayr.
Aberbrothock.

32. Remitted to a committee to prepare the draught of an act on the subject of a petition from the tanners of Edinburgh. Tanners of
Edinburgh.

- EDINBURGH
8 July 1731.
Petition for
shoemakers of
Edinburgh.
33. Remitted to the annual committee petition from the cordiners of Edinburgh "praying that proper methods may be used to oppose the extending to Scotland the act of parliament made in England in the first year of King James the first for disabling cordiners from being tanners, or at least to have their right by their seall of cause saved to them."
- Kinghorn, feu
rights ratified
34. Approved of two feu charters of a small piece of ground granted by the burgh of Kinghorn to Robert Bruce of Grangmyre and Robert Hamilton, merchants in Kinghorn, "it appearing to the convention to be ane inconsiderable subject and for the conveniency of trade and the utility of the burgh."
- Wigtoun.
35. Appointed a committee to visit and report the condition of the burgh of Wigtoun, the burgh having craved aid in consequence of "the rowinous condition of their tolbooth steeple and schoolhouse."
- Unfree trade
of Orkney, &c.
36. On petition from the burgh of Kirkwall the convention appointed the agent to assign to the burgh the unfree trade of Orkney and Zetland for two years.
- Stirling, St
Ninians.
37. Ordained the burgh of Stirling to give up the bond granted for the unfree trade of St Ninians.
- Kirkwall.
38. Appointed the agent to receive a sum offered by the commissioner of Kirkwall for missive dues owing to George Smollet, late agent.
- Fish debentures.
39. Appointed a committee to wait on the commissioners of excise and ascertain if they intend to make punctual payment of the fish debentures.
- Aberbrothock.
40. Appointed a committee to visit Aberbrothock and report the condition of the burgh, pier and harbour, to next convention.
- Act in favours
of the tanners
of Edinburgh.
41. The convention having taken to their consideration a petition of the freemen tanners of Edinburgh and act of the town council thereof dated the thirteen of September j^m vj^c and ninety 'three therein referred to, and being perswaded that all forestalling and regrating is destructive to trade and commerce, and all sales and forehand bargains of slaughtered ruch hides are a species of regrateing, and that as the laws in that behalf doe now stand all slaughtered ruch hydes brought to mercat ought to be sold in mercat and in mercat hours and ought not to be sold by any forehand bargain, doe therefor hereby ratify and approve of the forsaid act of the town council of Edinburgh and interpone their authority thereto.

[By the act of the town council of Edinburgh thus confirmed it was ordained "that the freemen fleshers of this burgh shall not sell nor make forehand bargains of their slaughtered roch hydes to any stranger or unfreeman untill the freemen burgesses and tanners of this burgh be served (at least till

two a clock in the afternoon upon the ordinary mercat days and then the freemen fleshers may have liberty to sell them to any person they please) who are to be present at the buying of the saids hydes ilk mercat day; provyding always that they keep not up the saids hydes till that hour be past. In that case the freemen burgesses or tanners are hereby authorized to have liberty to putt either buyer or seller to their oaths that they have not sold nor bought them under or for the pryces that the freemen burgesses and tanners have offered for them, conform to the customes and statuts of the royal burrows. And further that none of the freemen fleshers or unfreemen in this city or suburbs shall forestall the mercat by making forehand bargains or sell to any unfreemen their slaughtered hydes but to burgesses allenarly. And that no unfreemen shall have liberty to buy any salt or dry hydes that comes to the city and suburbs but to the saids freemen burgesses and tanners. And siclyke that none of the freemen or other fleshers of Cannongate and Leith, or any other part of the suburbs of the good town, shall sell the roch skins or hydes within their respective bound to any unfree persons but to freemen burgesses of Edinburgh and suburbs as is above written.”]

EDINBURGH.
8 July 1731.
Act in favours
of the tanners
of Edinburgh.

42. The convention having heard a petition from the burgh of Culross complaining that the justices of the peace had cast about a high road leading to the said burgh to the great prejudice thereof, the convention appoint their agent to concur with the said burgh in getting redress in the said affair and to report to the next annual convention.

Agent to con-
cur with Cul-
ross.

43. The commissioner for Dumbarton having represented that the burrow fishery being now at a period it was necessary that the books of that company should be depositat in some propper place, which being considered by the convention they impower the committee to be appointed to sitt after dissolving this present convention to receive the said books and to cause depositat the same with the records of the royal burrows.

Fishery books.

44. Appointed each of the royal burghs to send up lists of the unfree traders within their several bounds betwixt and 1st November next.

Unfreetraders.

45. Appointed the agent to pay certain “supplies” or gratuities.

Gratuities.

46. Annual committee appointed.

Annual com-
mittee.

47. Appointed the agent to pay certain salaries and gratuities.

Sallarys.
Convention
dissolved.

48. Dissolved the present convention and appointed the next to meet at Edinburgh on the first Tuesday of July 1732.

MEETINGS OF ANNUAL COMMITTEE, *held at* EDINBURGH.

9 July 1731.

EDINBURGH.
9 July 1731.

Sederunt.

Preses.

Craftsmen of
Dumfermling.

Edinburgh, John Osborn and John Keir ; Dumbarton, Archibald M'Aulay ; Irving, John Din ; Dumfreise, Andrew Crosbie ; Sanquhar, George Irving ; Dingwall, Alexander Jolly ; Pittenweem, Robert Clelland.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses.

2. The committee having conform to a remitt of the last general convention to them taken into their consideration the petition of James Smith, deacon of the incorporation of smyths of the burgh of Dumfermling for himself and in name and behalf of the remanent members of the said incorporation, craving that the convention would by their act declair that under the denomination of smyths were comprehended black-smyths, coppersmyths, peutherers, saidlers, locksmys, cutlers, lorimers or spurriers, gunsmys, whiteiron smyths, sword slippers and belt makers, and to allow the saids several abovenamed arts in common the priviledge of electing and being elected deacons of the said incorporation of smyths in all time coming, conform to the ancient constant and uniform custom of the said burgh of Dumfermling, and they having also considered the last sett of the said burgh and the subsequent queries and the answers made by the committee met at Dumfermling to these queries with the act of the town councill of the said burgh made thereanent upon the fifth of July instant, the committee are of oppinion that any freeman, tradesman, exerciseing any trade who were lawfully incorporated, and were in use as such to vote in the election of deacon before the last sett dated the thirteen day of July one thousand seven hundred and twenty four years may still elect and be elected as deacon of the incorporation in which they are now freemen and bear scott and lott with the incorporation and in the actual exercise of their craft.

29 July 1731.

29 July 1731.
Sederunt.

Edinburgh, John Osburn and John Lauder ; Glasgow, Alexander Finlayson ; Dumbarton, Archibald M'Aulay ; Irving, John Din ; Sanquhar, George Irving ; Annan, Bryce Blair ; Lochmabin, Sir James Johnston ; Whithorn, Hugh Hathorn.

Convention of Royal Burghs.

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1. John Osburn, dean of guild of Edinburgh, elected preses.
2. Commission granted to David Gregory, merchant in Aberdeen, to be factor at the staple port of Campvere.

EDINBURGH.
29 July 1731.
Preses.
Admission of
a staple factor.

16 August 1731.

Edinburgh, John Osburn ; Irving, John Din ; Dingwall, Alexander Jolly ; Sederunt.
Elgine, William Forbes ; Whithorn, Hugh Hathorn ; Inverbervie, Mr Charles Maitland.

1. Patrick Lindesay, lord provost of Edinburgh, elected preses.
2. Agreed to cautioners proposed by David Gregory, factor at Campvere.

Preses.
Factor.

28 October 1731.

Edinburgh, John Osburn, lord provost ; Pittenweem, Robert Clelland ; Sederunt.
Dumbarton, Archibald M'Aulay ; Whithorn, Hugh Hathorn ; Sanquhar, George Irving ; New Galloway, William Veitch ; Dingwall, Alexander Jolly.

1. John Osburn, lord provost of Edinburgh, elected preses.
2. Commission granted to Charles Stewart, sometime depute conservator, to be factor at the staple port of Campvere.

Preses.
Admission of a
staple factor.

10 February 1732.

Edinburgh, John Osburn, lord provost ; Stirling, Mr John Erskin ; St Sederunt.
Andrews, Patrick Lindsay ; Glasgow, Alexander Finlayson ; Irving, John Din ;
Dumbarton, Archibald M'Aulay ; Craill, Mr John Lumsdeal ; Culross, Mr
Alexander Boswall ; Rothesay, Guyn Vaughan ; Rutherglen, John Bogle ;
Lochmaben, Sir James Johnstoun ; Sanquhar, George Irving ; Dingwall,
Alexander Jolly ; Dornock, John Baillie ; Inverbervie, Mr Charles Maitland.

1. Under remit contained in the 33d act of last convention the committee remitted to a subcommittee "to meet with the commissioners of his Majestys excyse and to endeavour to concert with them a proper clause in the tannage bill for saving the rights of the cordiners of Edinburgh and other royal burrows as to their priviledge of tannery."

Anent the
tannage bill.

2. Agreed to supersede diligence on George Smollet's bond on his paying up bygone annualrents and in interm security of the principal assigning to the burghs a bond for 2000 merks granted by the deceased James Smollet, eldest son of Sir James Smollet of Bonhill.

Anent Mr
George Smol-
let's bond.

3. Appointed the preses to write to the several representatives of the burghs in parliament to endeavour to procure a clause in the land tax bill for preventing suspensions of payment of cess.

EDINBURGH.
10 February
1732.
Dutys of salt.

4. Remitted to a subcommittee to examine the laws as to duty on salt and meet with the trustees for improvement of fishing and manufactures and consider what is proper to be done concerning several priviledges granted to the curers and exporters of fish from England which were not granted to the fish traders in Scotland.

Importation of
corns.

5. It having been represented that there were "several abuses committed by the importation of corns into different ports of this kingdom whereby the value of the corns of this country is much sunk now in time of plenty," the committee remitted to the subcommittee abovenamed to consider the matter and report.

Act anent
Aloa.

6. On the application of the magistrates and inhabitants of Aloa stating their inability to pay cess and missive dues at the rate of 2s. 6d. in the tax roll to which they were augmented in 1730, the committee instructed the agent to take at the rate of 2s. as part payment till the convention give farther directions.

Adjournment.

7. Appointed the subcommittee to meet tomorrow and consider the several matters remitted to them.

15 February 1732.

Sederunt.

Edinburgh, John Osburn, preses ; Glasgow, Alexander Finlayson ; Rothesay, Guyn Vaughan ; St Andrews, Patrick Lindsay ; Sanquhar, George Irving ; Dunbarton, Archibald M'Aulay ; Inverbervie, Mr Charles Maitland ; Culross, Mr Alexander Boswall.

Letter to the
members of
parliament
approven.

The subcommittee reported that they had considered the memorial concerning the salt and other matters committed to them, and having had a conference with a deputation from the commissioners and trustees for manufactures touching the same they had prepared the draught of a letter thereanent to be sent to their representatives in parliament, which being read the committee approve thereof and appoint the same to be signed by their preses in their name and to be dispatched by express by their agent, whom they also appoint to write to Mr William Hamilton, agent at London, to the same purpose and to desire him to be a remembrancer to the members of parliament concerning the same, and of which letter the tenor follows :—Sir,—The committee of the royal burrows have had under their consideration the following matters and have laid their commands on me as their preses to convoy to yow their humble oppinion touching the same. That as by the 8th act Georgii

1st and the 3d act Georgii 2^d curers of fish in England either with British or forreign salt are allowed to sell their herrings for home consumpt, paying 8d. per barrell of duty if cured with forreign salt and 3 shillings and 4d. if cured with British salt, while the duty on salt was imposed, and to sell their red herrings for home consumpt paying one half thereof, which has not yet been extended to Scotland and which the committee humbly think ought to be extended. That as the duty on salt seems again to be reimposed the committee humbly desire that yow in concert with their other representatives in parliament will be pleased to exert yourselves soe as that it be laid on according to the former proportions and that the traders in Scotland be brought upon an equality with the traders in England both with respect to home consumpt and the fishing on the north sea and Iceland. That as there are several petitions to parliament complaining of frauds and abuses in the opening of ports for the importation of grain which is hurtfull both to the landed intrest and the tradeing interest, its the committees humble request that yow will join with their other representatives in obtaining proper checques to prevent these more effectually, two whereof they presume to mention (1) that the power of opening ports be limited to the quarter sessions at one of their four quarterly meetings; (2) that grain imported should not be allowed to be transported coast ways but only over land. That as ane attempt is to be made this session to obtain a law for extending the act Jacobi 1st over Scotland for disableing cordiners to be tanners notwithstanding that the cordiners in royal burrows have this verry priviledge given them in their sealls of causes which are ratified by the crown and parliament and reserved by the articles of union, the committee doe humbly beg that yow with their other representatives will oppose such a bill unless it contain a saveing clause in favours of the cordiners of the royal burrows, for any innovation of this kind might be a verry dangerous precedent. That as of late suspensions have been offered by inhabitants of the burrows of payment of their proportions of the land tax and that if this be not remedied it will render the levying of it impracticable, the committee humbly desire that yow will join with their other representatives to obtain a remedy to this by a proper clause in the land tax bill. The committee have also ordered me to make yow their

EDINBURGH.
15 February
1732.

Letter to the
members of
parliament
approven.

Duty on salt.

Importation of
grain.

Cordiners.

Land tax.

EDINBURGH.
15 February
1732.

Letter to the
members of
parliament
approved.

compliments for the good offices which yow have already done the state of burrows and they perswade themselves that yow will continue your good offices in the above particulars. With great respect I am, [etc.].
Edinburgh 15th February 1732.

21 June 1732.

Sederunt.

John Osburn, lord provost of Edinburgh, preses; Edinburgh, John Keir; Innerkeithing, John Cant; Pittenweem, Robert Clelland; Sanquhar, George Irving; New Gallaway, Hugh Hathorn; Wigtoun, John M'Gowen.

Memorial
anent Old
Meldrum.

1. The agent laid before the committee a memorial concerning the arrears due by the town of Old Meldrum, whereof the tenor follows:—
Memorial for the royal burrows of Scotland. That the laird of Meldrum, as superior of the burgh of Old Meldrum, having accepted for the said burgh the benefit of a communication to trade upon paying to the royal burrows a proportion of cess and missive dues at the rate of 9 pennies in the roll the same was payed up till (*blank*), when upon a pretence of a surrender of the aforesaid priviledge by the said burgh to the burrows payment was stopt and a suspension was by them obtained against Mr George Smollet, late agent, to the burrows which is still untryed. The burgh of Old Meldrum is now owing to the burrows the sum of (*blank*) and continues to hold and enjoy the priviledge of trade notwithstanding of their forsaid surrender, and in a case tryed before the court of session last term between the merchants of Dalkeith against the mechanicks there it was found that such a priviledge could not be made void without the consent of the royal burrows. *Queritur*: Whether or not may the agent to the royal burrows lawfully, notwithstanding of the said suspension, give up to the general receiver a list of arrears for cess, &c., due by Old Meldrum for three years last past that he may recover the same by quartering for the burrows releif. Which being read the committee appoint their agent to consult the lord advocat thereanent and to prosecute the same as he shall direct.

Merchants in
Torryburn.

2. Appointed the agent to cite three merchants in Torryburn to answer to next convention for carrying on trade without having compounded for its communication.

GENERAL CONVENTION *held at* EDINBURGH.

Edinburgh, Thomas Dick and William Ayton; Pearth, Robert Robertson; EDINBURGH.
4 July 1732.
Sederunt.
Dundee, Alexander Robertson; Aberdeen, James Moorison; Stirling, James Littlejohn; Linlithgow, Mr James Glen; St Andrews, William Douglas; Glasgow, Peter Murdoch; Ayr, James Montgomry; Hadingtoun, James Erskin; Dysert, James Abercrombie; Kirkaldie, James Jeffrey; Montrose, Charles Crockat; Coupar, Thomas Greg; Anstruther Easter, Philip Paton; Dumfreise, James Corrie; Inverness, John Forbes; Bruntisland, John Hogg; Innerkeithing, Henry Cunningham; Kinghorn, Thomas Miller; Brechin, John Knox; Irving, William M'Taggart; Jedburgh, John Halliburton; Kirkudbright, Thomas Mirrie; Wigtoun, Alexander Campbell; Pittenweem, Robert Clelland; Dumferling, Charles Chalmers; Anstruther Wester, Mr Philip Anstruther; Selkirk, Robert Mercer; Dumbarton, Mr George Smollet; Ranfrew, William Somervell; Dumbar, James Fall; Lanerk, John Russell; Aberbrothock, Patrick Wallace; Elgine, William Forbes; Peebles, Francis Gibson; Craill, John Lumsdean; Tain, George Master of Ross; Culross, Thomas Cochran; Banf, James Shand; Whithorn, John Stewart; Forfar, William Binning; Rothesay, Guyn Vaughan; Forres, William Forbes; Ruthglen, David Scott; Northberwick, Sir Robert Dalrymple; Cullen, John Philp; Lauder, John Moffat; Kilrenny, Henry Bethun; Annan, Bryce Blair; Lochmaben, Robert Henderson; Sanquhar, George Irving; New Galloway, William Veitch; Dingwall, Sir Robert Monro; Queensferry, Mr John Dundas; Kintore, Mr Robert Bruce; Inverarie, Archibald Campbell; Wick, Patrick Dunbar; Inverbervie, Mr Charles Maitland; Campeltoun, Alexander Frazer; (six burrows *blank*).

4 July 1732.

1. John Osburn, lord provost of Edinburgh, elected preses. Preses.
 2. Appointed a committee to revise the commissions. Committee on commissions.
 - 3, 4. Approved of certain commissions and of report of committee thereon.
- "And finding the commissions for Kinghorn and Dingwall are informal they dispence with the said informalitys for this time and recommend to them to be more formal in time coming. But in regaurd the commissioner for the burgh of Inverurie is not qualified in the terms of the formula they reject the said commission and appoint the commissioner for the burgh of Aberdeen to reprimand the magistrats in name of the convention for sending a commissioner not qualified as above."
5. Remitted the missive to a committee. Missive.
 6. Agent's accounts presented and ordered to lie on table. Agent's accounts.

EDINBURGH.
4 July 1732.

Trustees' re-
port presented.
Annual
committee.

7. Allowed the members to inspect report by Trustees on fishings and manufactures which has been placed in the clerk's hands.

8. Approved of whole proceedings of annual committee.

5 July 1732.

Heads and
articles of
missive, tax
roll.

9. Approved of report on the missive and continued certain articles to be heads of next missive. Remitted to a committee to inquire into the state of the burghs and consider what is proper to be done anent altering or continuing the tax roll.

Commissions
approven.

10. Approved of commissions for the burghs of Linlithgow and Anstruther Wester.

Petitions
remitted.

11, 12. Remitted to committee on the tax roll to consider petitions of (11) Culross, Air, Rothesay and Inverarie, and (12) Aloa and Leven.

Members to
general
assembly.

13. The convention considering that notwithstanding by the constitution, rules and laws of the church of Scotland, every royal burgh has right to be represented in all the meetings of the general assembly thereof by their commissioner thereto duely authorized according to the rules and directions which are in that behalf made, yet that some of the burrows have for many years past omitted to use their aforsaid right, and that others of them who have used it have made choise of ministers or probationers not qualify'd according to the forsaid rules which is extremely prejudiciall both to the intrest of the church of Scotland and to the intrest of the state of burrows, therefor the convention doe hereby ordain the magistrats and town councill of every royall burrow to make choise of such persons to represent them as their commissioner in every meeting of the general assembly as are thereto duely qualified conform to the aforsaid rules which are in that behalf made by the general assembly, and who will give punctual attendance at all the aforsaid meetings; and doe hereby discharge them from making choise of any ministers or probationers or of any other person not qualified according to the aforsaid rules in that behalf made by the general assembly, or who will not give full assurance to their constituents for punctual attendance, as they will be answerable to the general convention; and that this ordinance may be carefully observed appoints the same to be always a head of the annual missive; and that the royal burrows may know the forsaid rules and directiones made by the general assembly appoints the

agent to send coppys thereof to every royal burrow before the first day of January next. EDINBURGH.
5 July 1732.

14. The convention considering that several rogues and fellons even after their being seized and imprisoned for capital crimes committed within royal burrows doe escape from punishment by reason that there is no provision made by the royal burrows of any fund to answer the expence of tryals and prosecutions against them, doe therefor hereby authorize and impower the committee that shall hereafter be annually named to take care of the concerns of the burghs to give such directions touching the tryal and prosecution of any roguery or felony committed or that shall be committed within any royal burrows as to them shall appear reasonable, and that when and as often as such matters shall be laid before them; and doe hereby appoint the agent and his successors to answer and pay such sum or sums of money as shall be ordered by the said committee to the use before mentioned not exceeding the sum of fourty pounds sterling annually; declairing any five of the said committee to be a quorum, Edinburgh being always one. Rogues and
fellons.

15. On report of committee the convention continued the tax roll as it now stands for one year and also the assignations made to any of the burghs of unfree trade. Tax roll, &c.,
continued.

16. Allowed to the burgh of Culross £6 sterling "toward reparation of Culross. their harbour."

17. Continued reports on the condition of the burghs of Air and Anstruther Easter to be heads of next annual missive. Air,
Anstruther
Easter.

18. Appointed the agent, out of the fund arising from unfree trade, to relieve Rothesay of one shilling Scots of the tax roll till July next. Rothesay.

19. Having heard reports on petitions of Aloa and Leven the convention refused to make any alteration of their quotas this year, but continued the relief formerly granted to Aloa from the adjacent unfree traders. Alloway and
Leven.

20. Appointed a committee to consider agent's accounts and the state of the staple port. Agent's
accounts.

21. Remitted to a committee to visit and report on the condition of the burgh of Dingwall. Dingwall.

22. Remitted to the annual committee petition from Dumfermling anent the method of their elections. Dumfermling.

23. Ratified two contracts of excambion between the town council of Banf and William Duff of Bracco with the several acts of the head court relative thereto. Banff.

EDINBURGH.
5 July 1732.

Linnen society
at Glasgow.

Transporting
cured fish, &c.

24. Remitted to the annual committee representation from the Linnen Society at Glasgow.

25. The convention remitt to the annual committee that shall be appointed to sitt after dissolving this present convention to consider how cod fish and ling, salmond, beef and pork salted in Scotland, may be transported into England, and to endeavour to fix the quantum of salt for cureing a barrel or hundred weight of codd and a barrel of salmond, beef or pork, with power to them to make such application thereanent as they shall see proper ; as also they remitt to the annual committee to inspect the laws relateing to the sufficient cureing of salmond, beef and pork, and by applying to the trustees or otherways endeavour a releif where any deficiency is found.

6 July 1732.

Agent's ac-
countts of
unfree trade.

26. Approved of report on agent's accounts of unfree trade. Charge (including £3349, 13s. 5½d., being balance from his last accounts of missive dues and unfree trade), £4843, 11s. 2½d. ; discharge, £1659, 19s. 1½d. ; balance due by agent, £183, 12s. 0½d. ; all Scots money.

Agent's ac-
countts of
missive dues.

27. Approved of report on agent's accounts of missive dues. Charge :— missive dues, £9000 ; George Smollet's bond, £2293, 11s. 8d. ; total, £11,293, 11s. 8d. Discharge (including sum in Smollet's bond yet resting), £9996, 8s. ; balance due by agent, £1297, 3s. 8d., all Scots money. The balance along with the balance on the other account was appointed to be applied towards making good what is charged on the agent in the tax roll for unfree trade more than what is charged on the burghs of barony and regality. Having taken credit for £60 paid the burgh of Dornock, conform to the 29th act of last convention, the instruction of which was not produced, the agent was appointed to charge himself with that sum in next account.

Conservator.

28. Appointed the agent to pay the conservator £26, 16s. 2d. sterling to make up deficiency of fees for maintaining a depute.

Inverary.

29. Allowed to Inverary £20 sterling to enable that burgh to pay two years cess to the general receiver.

Torry and
Torryburn.

30. Having considered petition on behalf of the inhabitants of Lymekilns and of Torry and Torryburn, the convention agreed to grant to the latter "a communication of trade, upon Mr John Erskin, advocat, overlord or superior of these places, his joining in acceptance thereof in the usual form, and that at the rate of sex pennies in the tax roll ; and reassumes the unfree trade of Torry and

Torryburn" from the inhabitants of Lymekilns and restricted their proportion in the tax roll to sixpence. EDINBURGH.
6 July 1732.

31-35. Remitted to the annual committee (31) petition from the burgh of Pittenweem craving aid; (32) list of unfree traders given in by Stirling and Dumfermling; (33) table of fees to the custom house officers; (34) to apply to parliament for a clause in the cess act to prevent suspensions; and (35) petition, of importers of wines. Several
matters re-
mitted to
annual com-
mittee.

36. Appointed the agent to pay to Robert Finnie, late provost of Ranfrew, £4 sterling of supply. Robert Finnie,
Ranfrew.

37. Appointed the agent to pay certain salaries and gratuities.

38. Annual committee appointed.

Sallarys and
gratuities.

39. It being represented by the burgh of Aberdeen that there was a cause intended before the magistrats of Aberdeen against some of their burgesses for exporting insufficient salmond, and it being of consequence to all the royal burrows that delinquents in such cases should be punished, they doe therefor appoint the burrow agent to concur with them at sight of the annual committee in case the said proces shall come before any higher judicatory, reserveing to them to make application to the next annual convention for such expences as they may be putt to thereanent. Annual com-
mittee.
Aberdeen,
exporters of
insufficient
salmond.

40. The commissioner for the burgh of Linlithgow represented that there had been several applications made by them anent their right to have a port at Blackness, in which they had been opposed by the town of Borroustouness, and desired the conventions concurrence therein, which being considered by the convention they remitt to the annual committee to take in written memorials from the said burgh of Linlithgow thereanent and to allow the town of Borroustouness to make answer thereto, and after hearing to grant such concurrence therein as they shall think propper. Linlithgow
Blackness.

41. Unlawed the burghs of Nairne, Fortrose, Kirkwall and Stranraer in £100 Scots each for not sending commissioners to this convention. Absent bur-
rows fyned.

42. Dissolved the present convention and appointed next to meet at Edinburgh on the first Tuesday of July 1733.

MEETINGS OF ANNUAL COMMITTEE *held at* EDINBURGH.

9 August 1732.

EDINBURGH.

9 August 1732.

Sederunt.

Old Meldrum.

John Osburn, lord provost of Edinburgh ; Edinburgh, Robert Blackwood ; Irving, John Din ; Sanquhar, George Irving.

The agent acquainted the committee that according to the lord advocat's advice he had ordered quartering on the town of Old Meldrum for their arrears of cess and missive dues and that the said town had offered a bill of suspension thereof, the copy of which he presented to the committee ; which being read the committee appoint their agent to lay the said bill of suspension before his Majesty's solicitor and to consult him in drawing answers thereto.

2 November 1732.

Sederunt.

John Osburn, lord provost, preses ; Edinburgh, Thomas Dick and William Ayton ; St Andrews, Patrick Lindsay ; Glasgow, Alexander Finlayson ; Dunbarton, Archibald M'Aulay ; Irving, John Din ; Annan, Mr Charles Erskin ; Dingwall, Alexander Jollie ; Sanquhar, George Irving ; Forres, William Forbes ; Whithorn, Hugh Hathorn.

Old Meldrum
and Pomaise.

1. The agent having represented that conform to an appointment of this committee dated the ninth day of August last his Majesties solicitor was consulted touching the bill of suspension offered on the part of the inhabitants of Old Meldrum for stoping the execution of an order of quartering issued forth by the general receiver upon a list of arrears of cess signed by the agent, and that thereto answers were made and of consent execution was sisted till the fourth instant, and further that the inhabitants of Old Meldrum had brought a proces of reduction, declarator and damnadges, against the general receiver and the agent before the court of session, the committee appoint the agent to consult his Majesties advocat and solicitor both upon the forsaid bill of suspension and proces and to doe everything necessary to oppose the same ; and likewise appoint the agent when the lord advocat and solicitor are consulted upon the above matters to lay before them the proces at his instance against

Polmais ; as also to desire them to prepare a proper clause to be offered in the land tax bill next session of parliament for restraining all suspensions or stays to the execution of any order for ingathering the cess. EDINBURGH.
2 November
1732.

2. Referring to the 25th act of last convention, the committee appointed the agent to write to Captain Fall in Dumbar and to the magistrates of Aberdeen desiring them to make the necessary computations, which when got a subcommittee were instructed to lay before the commissioners of customs. Curing fish, &c.

3. Referring to the 33d act of last convention the committee directed a table of fees for the custom house officers to be submitted to the lord advocate and solicitor, and also before the commissioners of customs in order that the same may be established. Table of fees
for custom
house officers.

4. The magistrats of Edinburgh represented that upon the fifth of October last a barbarous murder was committed on the high streets under cloud of night by (*blank*) Henderson, a chairman, and (*blank*) Hamilton, a street cadie, upon John Campbell, tydwaiater and messenger in Stronaway in the Isle of Sky, and that the guilty persons are in custody within the tolbooth of Edinburgh and are of an infamous character, but that the defunct has no relations here to prosecut them ; that such a prosecution is both usefull and necessary and agreeable to the 14th act of the last convention, and the saids magistrats having desired that the agent be appointed to answer and pay the expence of such a prosecution before the high shiriff within the town of Edinburgh, the committee appoint the agent to answer and pay the same and to deliver in the accompt thereof to be perused and examined by the committee. Prosecution for
murder.

20 November 1732.

John Osburn, lord provost of Edinburgh ; Edinburgh, Thomas Dick ; Irving, John Din ; Sanquhar, George Irving. 20 November
1732.

It being necessary to inspect the agent's accounts of 1717 in order to excerpt payments made by Old Meldrum that these payments might be laid before the lord ordinary in the process at the instance of the burghs against that town, the accounts were opened, inspected and resealed. Sederunt.
Account in-
spect and
resealed.

31 (*sic*) November 1732.

John Osburn, lord provost of Edinburgh ; Edinburgh, Thomas Dick ; Andrews, Patrick Lindsay ; Glasgow, Alexander Finlayson ; Irving, John Din ; St 31 November
1732.
Sederunt.

EDINBURGH.
November
1732.

Glasgow, £5
toward pro-
secuting
Cunningham.

Dumbarton, Archibald M'Aulay; Dumfermling, Charles Chalmers; Montrose, Charles Crokot; Whithorn, Hugh Hathorn.

1. The commissioner for the burgh of Glasgow gave in a representation setting forth that ane Cunningham who was formerly banisht by the lords of justiciary for housebreaking, &c., had returned to Glasgow and broke severall shops, houses and sellars, in and about that place, and being now retaken with one M'Feat, his assistant, the magistrats were resolved to prosecut these fellons, and having no fund for it craved as it was a general concern the committee would appoint their agent to advance a certain sum for the prosecution in the terms of the fourteenth act of the last general convention; which with the forsaid act being considered by the committee they in the terms thereof appoint their agent to pay to Alexander Finlayson, commissioner for the burgh of Glasgow, upon his receipt the sum of fyve pounds sterling toward carrying on the prosecution of the criminals above named.

Suspension for
Old Meldrum.

2. The agent acquainted the committee that the lord ordinary had refused the bill of suspension offered by the town of Old Meldrum of the cess for which quartering had been ordered; which being considered by the committee they appoint the said bill of suspension and answers to be recorded in the burrow books before the acts of the next convention.

13 December 1732.

13 December
1732.

Sederunt.

Matriculating
town of Edin-
burgh's arms.

John Osburn, lord provost of Edinburgh, preses; Edinburgh, Thomas Dick and William Aiton; Dunbarton, Archibald M'Aulay; Montrose, Charles Crokot; Irving, John Din; Rutherglen, James Bogle; Dingwall, Alexander Jolly; Whithorn, Hugh Hathorn; Sanquhar, George Irving.

The commissioners for the burgh of Edinburgh acquainted the committee that there was ane action raised against the town of Edinburgh by the lord lyon before the lyon court for not matriculating the towns coat of arms, that the magistrats had already advised with their lawiers thereanent who had given it as their oppinion that the town would not in law be bound to matriculat, but that as this action would be a precedent to all the burrows of Scotland in case the lord lyon should prevail, therefor they submitted it to the committee whether it was the general

concern of the burrows to defend them therein; which being considered by the committee and they being satisfy'd that the defending of the town of Edinburgh in this first action will be for the general advantage of the burrows doe therefor appoint their agent to concur with the magistrats of Edinburgh and expend a sum in defending the said action not exceeding twenty pounds sterling untill further directions from the committee.

EDINBURGH.
13 December
1732.
Matriculating
town of Edin-
burgh's arms.

31 December 1732.

John Osburn, lord provost of Edinburgh; Glasgow, Alexander Finlayson; Sanquhar, George Irving; Irving, John Din.

31 December
1732.
Sederunt.

It being necessary to inspect the instructions of the agent's accounts for 1721 in order to know if there had been payment made to him by the town of St Ninians or by Pomaise in name of that town, which would clear up certain facts in the process depending against Pomaise, the instructions were opened and no such payments being found were immediately resealed.

29 January 1733.

Preses, John Osburn, lord provost of Edinburgh; Edinburgh, Thomas Dick and William Ayton; Pearth, Robert Robertson; St Andrews, Patrick Lindsay; Glasgow, Alexander Finlayson; Irving, John Din; Dumbarton, Archibald M'Aulay; Sanquhar, George Irving; Pittenweem, Robert Clelland; Annan, Mr Charles Erskin; Whithorn, Hugh Hathorn.

29 January
1733.
Sederunt.

1. The agent reported that Pomaise is found lyable for the cess for three years preceeding the intenting of the proces and for the whole bygone missive dues unpaid and for the cess and missive dues in time coming and there is a remitt to the lord ordinary to examine and determine how far Pomaise is lyable in payment of the arrears of cess preceeding the said three years, and that it is proposed for Pomaise that the arrears preceeding the said last three years be settled by an arbitration and had named Mr Robert Craigie, advocat, as his arbiter; and further the agent reported that the doers for the burgh of Old Meldrum doe insist that since they have not contested the point of prescription as to the arrears of cess preceeding the last three years owing by them that they should be no further lyable than Pomaise but should have the like benefit with him; which being considered by the committee they

Pomaise and
Old Meldrum.

EDINBURGH,
29 January
1738.

Pomaise and
Old Meldrum.

Table of fees,
land tax,
oaths.

Application for
surplus of malt
duty for manu-
factures and
fisheries.

authorise and impower their agent to submitt for them to Mr Charles Erskin, his Majesty's sollicitor, and to the said Mr Robert Cragie, with power to them in case of variance to choise an oversman, the forsaied point still depending and undetermined between them and Pomaise and to settle and end with old Meldrum upon the same footing as with Pomaise without submission.

2. The committee appoint their agent to transmitt to their agent at London a copy of the table of fees for the officers of the customs in order to be laid before the thesaury that it may receive the proper authority necessary to establish it and that their agent at London be desired to make proper application for a clause in the land tax bill (if the land tax be imposed this session) for stopping any suspensions of ingathering thereof, and for ane other clause to explain the manner when and before whom the magistrats and town councill of burrows shall at their annual elections be oblidged to qualify by taking the oaths and that the preses write circular letters to their representatives in parliament desireing their aid and assistance in these particulars.

3. The committee considering that by the letters patents under the great seal dated the eighteen of July 1727 to the commissioners and trustees for improving fisherys and manufactures in Scotland, the saids commissioners and trustees or any five or more of them are directed, at the feast of Christmas yearly, to make up a faithfull and true accompt of the moneys received and issued by their orders, together with a full and true report of the state of the funds committed to and under their management and of their proceedings in execution of their trust, and within the space of thirty days to lay the same before his Majesty, and within the like space of thirty days to lay true coppys thereof before this committee that they may peruse and examine the same and lay before his Majesty from time to time such observations as they should make thereon, and that the saids commissioners and trustees pursuant to the forsaied direction have from time to time laid before this committee true coppys of the forsaied annual accompts and reports; and it being apparent to the committee that the linning manufacture is much improven and increased under the managment of the saids commissioners and trustees and that the coast fishing and smal boats is much discouraged by ane

syze or duty imposed upon every boat both in the firth of Forth and in the firth of Clyde and in the Isles, and that the relieving such fishermen as shall undertake to fish on the coast according to the directions and instructions to be given them by the saids commissioners and trustees from payment of the said duty or syze money would make that branch of trade usefull and profitable to the nation, which cannot be done but by authorizing and enableing the saids commissioners and trustees to doe the same out of the publick funds under their management, and that according to the state of these funds there is not a sufficiency to answer the same nor to undertake and promote sundry other valuable and usefull projects depending that would undoubtedly improve and promote the linning manufactures unless the surplusages upon the malt tax incurred and grown due, after fully answering and paying the net sum of twenty thousand pounds sterling annually with the charges of management as appropriated by the statuts in that behalf made, be delivered, and payed over to the saids commissioners and trustees their thesaurer for the uses and purposes under their trust and managment ; therefor the committee doe unanimously resolve and agree that ane application be made to his Majesty setting forth the matters as herein before mentioned.

EDINBURGH.
29 January
1733.

Application for
surplus of malt
duty for manu-
factures and
fisheries.

4. The preses having left the chair, the committee elected Robert Robert-son, commissioner for the burgh of Pearth, to be their preses. Preses chosen.

5. It having been represented to the magistrats of Edinburgh that in a question depending betwixt the good town and the town of Leith before the court of session the village of Leith is found to be no part of the royalty, whereby a valuable part of the royalty is taken away and thereby the town of Edinburgh is disabled to bear the proportion of the burdens that are or may be imposed upon the state of burrows ; that the magistrats of Edinburgh apprehend that as they have been in possession for more than a century, by virtue of grants from the crown that are ratifyed in parliament and affirmed by sundry decrees before the court of session, that redress may be had by bringing ane appeal before the house of peers, and therefor humbly desired that the committee would write to their representatives in parliament to be aiding and assisting to the bringing on and to the tryal of that appeal. Which being considered by the committee they unanimously resolve that the above affair, as being the concern of the whole state of burrows, be re-

Town of Edin-
burgh's appeal
against Leith.

EDINBURGH.
29 January
1733.

commended in the most serious manner to their representatives in parliament and that the preses doe make out and forward a circular letter in that behalf.

Pomaise.

6. The committee authorize their agent to assign to the laird of Pomaise the unfree trade within the town of St Ninians and the paroches of Kippen and Gargonnock for releif of his share of the tax roll.

2 March 1733.

24 March 1733.
Sederunt.

John Osburn, lord provost of Edinburgh, preses; Edinburgh, Thomas Dick and William Ayton; St Andrews, Patrick Lindsay; Irving, John Din; Dumbartoun, Archibald M'Aulay; Rothesay, Guyn Vaughan; Sanquhar, George Irving.

Address to his
Majesty ap-
proven.

1. The preses did in the terms of the appointment of the committee of the twenty ninth of January last present ane address or report to his Majesty concerning the fisherys and manufactures, which [was approved of and is as follows:—]To the Kings most excellent Majesty. May it please your Majesty. Your commissioners and trustees for improving fisherys and manufactures in Scotland, appointed by your royal charter which bears date at St James's the fifth of July in the year 1727, in obedience to the directions thereby given have at the Feast of Christmas yearly made out a faithfull and exact accompt of the moneys received and issued by their orders, together with a full and true report of the state of the funds committed to and under their management and of their proceedings in the execution of their trust, and have laid true coppys thereof before the annual committee of the convention of your royal burrows of Scotland that they might peruse and examine the same and lay before your Majesty from time to time such observations as they shall make thereon. As the annual committee of the convention of your royal burrows are by your Majesty graciously permitted to peruse and examine the aforesaid proceedings of your trustees and to lay before your Majesty from time to time such observations as they shall make thereon, they most humbly observe that they feel a sensible pleasure in being able to inform your Majesty with truth that the linnen manufacture under the management of your trustees improves even beyond their expectation and raises hopes of considerable advantage to the whole Island if it is skilfully

cherished. That when your Majesty's subjects are better taught by experience and their fishing tackel is somewhat improved there still remains hopes that they may at last carry on the herring fishing in deep waters further than their neighbours. That the fishing of herrings by smal boats on the coast has been decaying these several years and may in time be entirely ruined unless retrived by suitable encouragement, whereby this branch of bussiness soe profitable to the country and of so much importance to the publick as that great numbers of able bodyed sailors are thereby bred and maintained will be intirely lost. One great discouragement this fishing labours under is the payment of a heavy duty called syze money payed by each boat that fishes in the firths of Forth and Clyde and in the north west lochs or lakes where herrings of ane exceeding good quality are taken. To this its owing that after one years unsuccessfull fishing many boats doe never return again to prosecut the trade. Wherefor the annual committee of the convention of your royal burrows most humbly propose that for the releiving of so usefull a branch of business to the nation as the coast herring fishing from the aforesaid heavy burden, your Majesty will be graciously pleased to impower your trustees out of the funds appropriated for encouragement of the fisherys and manufactures in Scotland, annually, to releive from the payment of the said syze money all the boats employed in this trade who shall punctually observe and conform to the rules to be appointed by your trustees for the best method of catching and cureing of herrings.

That the projected expenses doe verry near exhaust the savings in the year ending at Christmas last, and if the propper directions for paying over the surpluses of the malt duty to your trustees cashier be not given the verry necessary service for this year must remain unprovdyed for and several other purposes that have cast up, which both in the oppinion of your trustees and of the committee of your burrows might verry much contribut to the further improvement of the fisherys and manufactures, cannot be undertaken; but as from experience they are perfectly assured of your Majestys great goodness to this country and paternal care for promoting its intrest they most humbly propose to your Majesty that the proper directions may be given for paying over into the hands of your trustees cashier the surpluses of the malt duty which are now lying in cash un-

EDINBURGH.
2 March 1733.
Address to his
Majesty
approven.

EDINBURGH.
2 March 1733.
Address to his
Majesty
approven.

employed in the hands of your commissioners of excyse here, after reserving £20,000 sterling net for each year, that your trustees may be enabled to obtain your Majestys approbation of propositions most humbly to be by them laid before yow for extending and improving the fisherys and manufactures which dayly doe demand your Majestys furdre care and encouragement. All which is most humbly submitted to your Majesty by, may it please your Majesty, [etc.]. Edinburgh, March 2d 1733.

Commission to
the preses and
agent to
London.

2. The committee considering that the lord provost of Edinburgh and George Irving, the burrows agent, two of their own number, are in a few days hence going to London concerning some affairs of the city of Edinburgh, and that as the royal burrows have the particulars herein after mentioned to sollicit there, therefor the committee doe hereby authorize and impower the lord provost of Edinburgh and the said George Irving in behalf of the royal burrows to doe every thing which shall appear to them to be necessary for obtaining a table of fees for the officers in the revenue of customs to be fixed and established as formed and concerted by the royal burrows and by the commissioners of the Customs the fourteenth of February 171 $\frac{7}{8}$; also for obtaining a proper clause to restrain all suspensions or stays of execution in ingathering the land tax in case the land tax shall be imposed this session of parliament; likewise for obtaining propper orders and directions for paying the surpluses of the malt duty to the commissioners and trustees for improving the fisherys and manufactures in Scotland their cashier for the use of the said fisherys and manufactures; further for obtaining a proper clause in ane act of parliament for fixing what rates and dutys shall be chargeable to answer the difference in the salt duty payable in Scotland and the salt duty payable in England upon pork, beef and red herrings, soe as these commoditys may be made importable into England from Scotland upon payment of such rates as the forsaid difference; whereanent these presents are hereby declared to be a sufficient warrand.

Particulars to
be laid before
Lord Ilay.

3. The committee appoint their said commissioners in the most respectfull manner to lay the above particulars before the right honourable the earle of Ilay and to pray his lordship to forward the same as far as to him shall appear usefull and necessary.

17 April 1733.

Edinburgh, Thomas Dick and William Ayton ; St Andrews, Patrick Lindsay ; Bruntisland, John Hogg ; Irving, John Din ; Montrose, Charles Crokatt ; Dumbarton, Archibald M'Aulay ; Pittenweem, Robert Clelland ; New Gallaway, William Veitch ; Whithorn, Hugh Hathorn. EDINBURGH.
17 April 1733.
Sederunt.

The annual committee having considered a letter laid before them from the magistrats of Irving dated the twelveth instant inclosing another direct to them from the masters of the coal vessells of and from Scotland now at Dublin, did unanimously appoint the saids two letters to be furthwith transmitted to their preses, the lord provost of Edinburgh, now at London, and doe most earnestly request and authorize his lordship to take the advice of his friends at London to make proper application to the King and councill, and if necessary to the parliament of Great Britain, to have the grivances complained of in the said letters effectually redrest, and to prevent any such hardship or abuses in the coal trade to be putt on the dealers of that commodity from Great Britain in time coming ; and doe furdur authorize his lordship to subscribe any petition or application that shall be judged necessary in name of the royal burrows of Scotland ; and by vertue of the powers given them by the convention to take care of the trade of the country doe impower their agent to depurse what money shall be necessary to make such application effectual ; and doe furdur appoint the dean of gild of Edinburgh to signify this by a missive letter to every member of parliament from royal burrows to desire them in name of the convention to assist my lord provost in making their application effectual that justice may be done to the coal masters of Great Britain and others who export coalls to Ireland. Exporters of
coal to Ireland.

29 June 1733.

Edinburgh, Thomas Dick ; Glasgow, Alexander Finlayson ; St Andrews, Patrick Lindsay ; Irving, John Din ; Whithorn, Hugh Hathorn ; Sanquhar, George Irving. Sederunt.

1. The lord provost of Edinburgh and the agent reported their proceedings under the commission to them of 2d March. Owing to "the hurry of publick business" nothing could be obtained last session as to table of fees, suspensions of cess and salt duty, but "it's hoped these things will be got done next session." Report by
preses and
agent of their
negotiations
at London.

EDINBURGH.
29 June 1733.

Report by
preses and
agent of the
negotiations
at London,
Inverary.

Dividend of
fishery stock.

As requested, a full statement as to superplus on the malt duty had been sent in to the treasury, and a memorial had been prepared as to "abuses done by the mayor of Dublin to the dealers in the coall trade from Scotland," which latter the agent at London is to attend to.

2. Authorised the agent to pay to the commissioner for Inverary the sum of £20 sterling allowed that burgh by the 29th act of last convention.

3. On representation by George Campbell, son of the deceased George Campbell, factor, assignee of Col. Peter Campbell, setting forth that the colonel had contributed £20 to the Fishing Company of Scotland and drawn the first dividend, but the second dividend, being £5, 18s. sterling, "was delivered over (amongst others not called for) to the merchant hospital of Edinburgh and their thesaurer who had purchast the lands of Peterhead and Stonhyve," and the certificate being lost the treasurer of the hospital demurred to pay unless authorised by the committee, the committee authorised the hospital and their treasurer to pay to Campbell the dividend applied for.

GENERAL CONVENTION *held at* EDINBURGH.

EDINBURGH.
3 July 1733.
Sederunt.

Edinburgh, Thomas Dick and William Clark; Pearth, Patrick Crie; Dundee, John Donaldson; Aberdeen, William Cruikshank; Stirling, James Littlejohn; Linlithgow, Mr James Glen; St Andrews, William Douglas; Glasgow, Hugh Rodger; Ayr, Thomas Girvine; Hadingtoun, Andrew Dickson; Dysert, Thomas Spence; Kirkaldie, George Higgie; Montrose, James Coutts; Coupar, Alexander Melvill; Anstruther Easter, Sir John Anstruther; Dumfreise, Andrew Corsbie; Inverness, Duncan Forbes, esq.; Bruntisland, John Hogg; Innerkeithing, Henry Cunningham; Kinghorn, Mr Thomas Lyon; Brechine, John Knox; Irving, William M'Taggart; Jedburgh, John Halliburton; Kirkudbright, William Gordon; Wigtoun, John M'Gowan; Pittenweem, Robert Clelland; Dumfermling, William Wilson; Anstruther Wester, Mr Charles Anstruther; Selkirk, Robert Mercer; Dumbarton, Mr George Smollet; Ranfrew, William Somervell, junr.; Dumbar, James Fall; Lanerk, John Bannantyne; Aberbrothock, Patrick Wallace; Elgine, William Forbes; Peebles, Francis Gibson; Craill, John Lumsdean; Tain, George master of Ross; Culross, Major Thomas Cochran; Banf, William Scott; Whithorn, Hugh Hathorn; Forfar, William Binning; Rothesay, Guyn Vaughan; Forres, Mr Hugh Forbes; Ruthglen, David Scott; North Berwick, Sir Robert Dalrymple; Cullen, Mr John Philp; Lauder, John Moffet; Kilrenny, Robert Waddell; Annan, Bryce Blair; Lochmaben, Mr Charles Erskin; Sanquhar, George Irving; New Galloway, Mr William Veitch; Dingwall, Sir Robert Monro; Dornock, Mr John Baillie; Queensferry, Archibald Stewart; Fortrose, Mr William Forbes;

Kintore, William Rind; Inverurie, James Catto; Inverarie, Mr Archibald Campbell; Kirkwall, James Strang; Inverbervie, Charles Maitland; Stranrazer, Mr Hugh Dalrymple; Campbeltoun, Mr John Campbell; (two burrows blank).

EDINBURGH.
3 July 1733.
Sederunt.

3 July 1733.

1. John Osburn, lord provost of Edinburgh, elected preses. Preses.
2. Committee appointed to revise the commissions. Revising commissions.
3. Approved of the commissions in terms of the committee's report.
4. Approved of the commissions of Annan and Inverbervie.
5. Remitted the annual missive to a committee. Missive.
6. Approved of the proceedings of the annual committee appointed at last convention. Annual committee.

4 July 1733.

7. Approved of commissions from Dingwall, Kilrenny, Anstruther Wester and Campbeltoun. Commissions approved.
 8. The committee on the missive recommended that certain articles should be continued in next missive; that certain burghs should prosecute unfree traders; that the burghs of Ayr and Anstruther Easter should have some assistance; and that the article anent the tax roll should be left to the convention. The convention approved of the report and remitted to a committee to consider the article anent the tax roll. Report by committee on missive.
 9. Having heard "a memorial from the trustees for improving manufactures, setting forth that the plan laid down by the said trustees for sorting, stapleing and washing of tarred wool had not answered the purposes intended, and that the trustees were ready to receive proposalls from the representatives of burrows which are situated in the counties that produce the said tarred wool for the more effectual improveing all or any part of the said manufacture," the convention remitted to a committee to consider the memorial and report what is necessary to be done therein. Memorial anent tarred wool.
 10. Agent's accounts produced and ordered to lie on table. Agent's accountts.
 11. The commissioner for Dumbar gave in an overture that the magistrates and council of each burgh should make out a table of fees exactable by the officers of each court belonging to them, which overture was ordered to lie on the table for perusal of the members. Fees of courts.
 12. Resolved to continue the tax roll as it now stands till July 1734. Tax roll continued, Lymekilns.
- The inhabitants of Torry and Torryburn not having, conform to the 30th act of last general convention, accepted of the communication of trade, on account of which the rate on Lymekilns was restricted from 12d. to 6d. in the tax roll, the

EDINBURGH.
4 July 1733.

convention continued Limekilns at the rate of 12d., and agreed that the unfree trade of Torry and Torryburn be restored to them.

Act for
improving the
manufacture
of coarse wool.

13. The committee appointed to consider what proposalls ought to be laid before the commissioners and trustees for introducing and improving the manufacture of the coarse tarred wool within the countys that doe produce the same, reported that they were humbly of oppinion the consideration thereof should be putt off till the first of October next betwixt and which time the magistrates of the several royal burrows within these counties should be directed to conferr with the heritors and freeholders in their neighbourhood, owners of such wool, and have their oppinion touching the most effectual and usefull way of imploying the publick money under the management of the said commissioners and trustees in introducing the manufacture of the said wool, and thereupon to draw up proposals to be laid before the commissioners and trustees, namely, touching the introducing of washing, stapleing, combing and spinning, and should be likewise directed to enquire whether the staplers and woolcombers that are imployed by the commissioners and trustees are skilled in that business, and to transmitt the forsaid proposalls with their report concerning the staplers and woolcombers to the burrow agent betwixt and the first day of October next, to be by him laid before the annual committee that are to be appointed to sitt after the dissolving of this convention to be by the said committee perused and examined and thereafter laid before the said commissioners and trustees ; which being considered by the convention they approve thereof and appoint the several royal burrows within the countys where tarred wool is produced to send up their proposals to the agent thereanent betwixt and the said first day of October next with their oppinion concerning the present staplers and wool combers to the effect mentioned in the report.

Agent's
accounts.

14. Remitted to a committee to consider the agent's accounts and matters relating to the staple port.

Act anent fees
of courts in
royal burrows.

15. The convention considering that it is incumbent upon them that care be taken to redress all undue exactions and impositions by way of fees that has been imposed and exacted by any officer in any court belonging to the royal burrows as well as to prevent the like for hereafter,

therefor the convention doe recommend to the magistrats and town council of every royal burrow within Scotland that they forthwith make out ane just and distinct table of all fees exactable for and upon the account of every matter and thing by every member and officer of all and every court to them respectively belonging, with a list of the number of the members and officers belonging to their said respective courts and their deputys and servants, and to transmitt the same together with what discoverys they can make of all and every abuse and undue exaction had in the premisses within their respective burghs and by any member or officer in any court of Scotland to the agent of the royal burrows betwixt and the twenty day of August next, attested by the respective magistrats and their respective common sealls thereto affixed, to be laid before the [annual committee] to be by them perused and examined, with full power to the said committee to doe therein as they shall think fitt, and appoints this act to be printed and transmitted to each of the royal burrows.

EDINBURGH.
4 July 1733.
Act anent fees
of courts in
royal burrows.

16. The convention having heard a petition from the burgh of Stirling craveing their assistance toward the timeous reparation of the bridges on the roads in Stirlingshyre which had suffered considerable damnadge by the extraordinary floods which happened on the twenty seventh past, they refuse the desire of the said petition in regaurd the expence of keeping up the said bridges and high roads falls properly on the gentlemen of the county and not upon the royal burrows.

Petition anent
bridges in
Stirlingshire.

17. Remitted to the annual committee a petition by the commissioner and Kinghorn, assessor for Kinghorn complaining of the magistrates misapplying and delapidating the burgh revenues.

18. Allowed the magistrates and council of Dysart to feu by public roup Dysert, sixty acres of their muir and to apply the price in payment of their debts.

19. Remitted to the annual committee to hear parties and determine as to a dispute between the wrights and other inhabitants of Dumfermling.

5 July 1733.

20. The committee appointed to audit the agent's accounts of intromissions with unfree trade since July last reported that his charge (including £4480, 15s. 8½d. Scots, being balance arising from his two accounts of missive dues and unfree trade audited to July last) amounts to £5687, 12s. 8¾d. Scots, and his discharge to £1641, 9s. 10d., leaving a balance of £4046, 2s. 10¾d. There had

Agent's ac-
countts as to
unfree trade.

EDINBURGH.
5 July 1733.

also been received by George Smollet, late agent, from the town of St Ninians £74, 12s. 2d. Scots on 9th February 1722 not accounted for, and with which he is now to be charged.

Agent's ac-
countts of
missive dues.

21. The committee appointed to consider the agent's account of missive dues reported that he charged himself with £8000 Scots as missive dues from July 1732 to July 1733, and with £60 credited in last account, but vouchers not produced, and also with £2391, 3s. 8d., being the principal and interest due by George Smollet's bond till 25th May last; and that his discharge, including said principal sum and interest still resting, amounts to £9763, 10s. 4d., leaving £687, 13s. 4d. due by the agent; which balance with the other balance due on the account for unfree trade the committee recommended should be applied toward making good what is charged on him in the tax roll for unfree trade more than what is charged on the burghs of barony and regality. The report was approved of.

Conservator's
fees.

22. The committee on the staple port reported that the fees received by the conservator and his deutes since 1st July 1732 only amounted to £23, 10s. 5½d. falling short of £50, to which they were to be made up by the burghs, by £26, 9s. 6¾d. sterling, which sum the convention appointed the agent to pay the conservator.

Allowance to
lord provost
and agent.
Fortrose.

23. Allowed to the lord provost of Edinburgh and the agent £150 sterling for their services in managing the affairs of the burghs at London.

24. Having heard a petition from Fortrose setting forth the low condition of the burgh the convention allowed £15 sterling to enable the burgh to pay their equies, cess and missive dues.

Stranraer,
fyne remitted.

25. On petition from Stranraer, the convention remitted the fine of £100 imposed on the burgh for absence from the convention in 1732.

Magistrats of
Annan allowed
to feu the
Muir.

26. The convention having heard a petition from the magistrats and councill of Annan craveing liberty to feu out a part of the muir ground belonging in propperty to the said burgh for the advancement of the common good and to enable them to build a steeple and purchas a cloak and bells to put in it, they allow the magistrats and councill of the said burgh to feu out by way of publick roup part of the said muir ground for the purposes above mentioned, they before doing thereof verifying the allegations in their said petition before the [annual committee] and receiveing proper directions from them how to proceed therein.

Supplies given
to Finnie and
Thain.

27. On petitions from them, the convention allowed Robert Finnie, late provost of Ranfrew, £6, and Alexander Thain, late bailie of Inverurie, £3.

- | | |
|--|--|
| 28. Recommended all burghs which had not already done so to send in contributions for repairing the harbour of Aberbrothock. | EDINBURGH.
5 July 1733. |
| 29. Appointed the agent to make payment of certain salaries and gratuities. | Harbour of
Aberbrothock. |
| 30. Appointed the annual committee. | Salary and
gratuities. |
| 31. Dissolved the present convention and appointed the next to meet at Edinburgh on the first Tuesday of July 1734. | Annual com-
mittee.
Convention
dissolved. |

MEETINGS OF ANNUAL COMMITTEE *held at* EDINBURGH.

6 July 1773.

Edinburgh, Thomas Dick and William Clerk; St Andrews, Patrick Lindsay Burntisland, Archibald M'Aulay; Irving, John Din; Wigtoun, John M'Gowan; Dumfermling, William Wilson; Lanerk, John Ballantyne; Whitehorn, Hugh Hathorn; Sanquhar, George Irving; Inverary, Ronald Dumbar.

EDINBURGH.
6 July 1733.
Sederunt.

1. John Osburn, lord provost of Edinburgh, elected preses.

Preses.

2. The committee having considered a petition subscribed by John Hutton, deacon of the wrights and coupars of Dumferling, for himself and in name and by order of the said incorporation, complaining that the sclaiters and glasiers of the said burgh had of late assumed the liberty to vote in the election of the deacons of the said incorporation of wrights contrary to the sett and their original seal of cause, and the committee having also considered the remitt of the convention to them thereanent they appoint their officer to cite the sclaiters and glasiers of the said burgh to answer to the said complaint upon Friday the twentyeth instant at twelve a cloak.

Sclaiters and
glasiers of
Dumferling.

3. The committee having considered a complaint exhibited to the last convention by Thomas Lyon, esq., commissioner, and Thomas Millar, assessor for the burgh of Kinghorn, in name and behalf of the councillors and inhabitants of the said burgh, complaining of the maladministration of the present magistrats thereof and of their misimplying and dilapidating the revenue of the said burgh, and having also considered the remitt of the convention to them thereanent with a particular condescendance of the irregularitys done by the provost and baillies of the said burgh they appoint the magistrats to be served with a copy of the said complaint and condescendance and to be cited to answer thereto against Friday the twenty day of July instant at twelve a cloak.

Magistrats of
Kinghorn to be
cited.

EDINBURGH.
6 July 1733.
Burgh of
Dysert to few
their muir.

4. The committee taking to consideration a petition remitt to them by the eighteenth act of the last general convention in name of the magistrats of Dysert craving liberty to few out a part of their muir ground for payment of their debt, they appoint the petitioners to verify the allegations sett furth in the said petition against the twentyeth instant by produceing to the committee an act of the town councill of the said burgh of Dysert impowering them to make the said application, with a list of the towns debts intended to be payed of by the few entrys of the said muir.

20 July 1733.

Sederunt.

Edinburgh, William Clerk ; St Andrews, Patrick Lindsay ; Ayr, Thomas Garvine ; Dysert, Thomas Spence ; Bruntisland, Archibald M'Aulay ; Irving, John Din ; Dumferling, William Wilson ; Dumbarton, Mr Smollet, younger ; Elgine, William Forbes ; Whithorn, Hugh Hathorn ; Rothesay, Guyn Vaughan ; Forres, George Dunbar ; Lochmabin, Mr Charles Erskin ; Sanquhar, George Irving ; Inverary, Ronald Dumbar.

Preses.

Act anent
Kinghorn.

1. John Osburn, lord provost of Edinburgh, elected preses.
2. Having heard the petition and a condescendence of particular facts relating to the maladministration of the common good of the burgh of Kinghorn, with answers made thereto by the present provost and bailies, the provost craved a competent time to make out a particular account of the state of the common good and administration thereof, and the committee appointed this to be submitted to a meeting fifteen days hence.

Annan to few
common muir.

3. On petition from the burgh of Annan the committee allowed the burgh of Annan, at sight of a subcommittee, to feu such parts of their muir ground as may be necessary to enable the magistrates to build a steeple to the burgh, and to buy a clock and bells to it, if the subcommittee should find such to be for the interest and utility of the burgh.

Wrights of
Dumfermling.

4. The committee having heard the petition in name of the wrights and coupars of Dumfermling by the deacon of the said incorporation, remitted to them by the general convention, with the answers given in thereto, as also a commission to the petitioners signed by a great many of the incorporation, and the said petitioners being interrogat if this was pursued upon the publick charges of the said incorporation or at the charge of the persons granting commission for that effect, they declaired in presence of the committee that the said incorporation should be burdened

with no part of the said charge ; and the committee having also heard a letter from the baillies and counsell of the said burgh thereanent they sub-committ to the burghs of Edinburgh, St Andrews, Bruntisland and Sanquhar to consider the sett of the said burgh, with the former procedure of the committee and subcommittee upon a former complaint, and to prepare ane oppinion thereupon against the next meeting of the committee.

EDINBURGH.
20 July 1733.
Wrights of
Dunfermling.

5. The commissioner for Edinburgh represented that there was a murder committed in the high streets of Edinburgh by one John Chrystie which the magistrats intended to take tryal of and craved the committee would appoint their agent to advance a sum for defraying the expence of that prosecution according to the fourteenth act of the general convention in July j^m vij^c and thirty two ; which being considered by the committee they appoint their agent to advance a sum not exceeding ten pounds sterling towards defraying the charges thereof in case the lord provost and magistrats shall think proper to proceed therein.

Prosecuting
John Chrystie
for murder.

6. Remitted to a committee petition given in for the burgh of Dysert and vouchers thereof.

Petition for
Dysert.

7. The committee considering the many good offices done by the right honourable the Earle of Ilay to the state of burrows they appoint their preses, with the burghs of Edinburgh, St Andrews, Ruthglen, Irving, Annan, Lochmaben, Sanquhar and Rothesay, to wait upon his lordship in their name and to make their compliments to him in the most respectfull manner, and recommend to them upon some proper occasion to lay the affair of the coal trade to Ireland complained of by the burgh of Irving before his lordship.

Complements
to the Lord
Ilay.

3 August 1733.

Edinburgh, William Clerk ; Dumfermling, William Wilson ; Whithorn, Hugh Hathorn ; Forres, George Dunbar ; Lochmabin, Mr Charles Erskin ; Sanquhar, George Irving.

Sederunt.

1. John Osburn, lord provost of Edinburgh, elected preses.

Preses.

2. The subcommittee appointed [by the 4th act of last meeting reported that after considering the petition, answers, sett and other documents they] were humbly of oppinion that, since it does not appear that the said incorporation had by their seal of cause a power to assume

Act allowing
sclaiters and
glasiers of
Dumferling to
be elected
deacons of
wrights.

EDINBURGH.
3 August 1733.
Act allowing
sclaiters and
glasiers of
Dumfermling
to be elected
deacons of
wrights.

glasiers and sclaiters or any other by-art, therefor such assumption is invalide and ineffectual unless the want of such a power had been supplied by the acquiescence and homologation of the magistrats and town councill of Dumfermling. But since it does appear from the answers and contradicted by the petitioners that in the seal of cause there are several persons original members who were glaisers, ancestors to some of the present answerers, and who had born the office of deacon, and that sclaiters and glasiers have been in use to choise and be choisen deacons and bear other publick offices in the said incorporation, and that there is nothing in the late sett contradictory thereto, and that the same has been acquiesced in and homologated by the said magistrats and town councill, as is vouched by a missive letter from the said magistrats and town councill addrest to the preses of the annual committee bearing date the nineteenth of July last, therefor that the glasiers, sclaiters, and other by-arts who were assumed by the said incorporation and owned and acknowledged as such by the said magistrats and town councill as aforesaid, and who are in the reall exercise of their imployments and who reside and bear scott and lott in the burgh, are capable of electing and being elected deacons of the incorporation of wrights of Dumfermling and the other offices in the said incorporation. Which report and the writs therein referred to being considered by the annual committee they approve of the said report and find, decern and declair accordingly.

Dysert to few
common muir.

3. On^e report by the committee appointed by the 6th act of the preceding meeting, the annual committee authorised the burgh of Dysert to feu sixty acres of their common muir by public roup at the sight of the burghs of Kirkaldie, Kinghorn, Pittenweem, Anstruther Easter and Wester, the purchase money and feuduty being applied towards extinction of the burghs' debts.

Kinghorn.

4. Neither of the parties having appeared, the committee appointed the state of the common good of Kinghorn referred to in the 2d act of the preceding meeting to be lodged in the clerk's hands to be considered at next meeting.

2 November 1733.

Sederunt.

Edinburgh, William Clerk ; Irving, John Din ; Kinghorn, Thomas Miller ; Sanquhar, George Irving ; Inverary, Ronald Dumber ; Dingwall, Alexander Jolly.

Preses

1. Patrick Lindsay, lord provost of Edinburgh, elected preses.

2. Appointed the magistrats of Dundee to give in answers to a petition by George Yeaman, merchant there, complaining of being oppressively stented for tobacco trade.

EDINBURGH.
2 November
1733.

3. Appointed John Hoggan and others, late provost and bailies of Kinghorn, to appear on 6th instant and answer a petition by the council complaining that they "had withdrawn from the common council house at the usual time of electing the new councill of the said burgh for the current year, and with a few of their accomplices had made up or pretended to make choise of a new councill for this year, and that the publick revenue of the said burgh of Kinghorn was in hazard to be undersett or imbazled if not timely prevented."

Complaint
against
Dundee.
Complaint
anent election
in Kinghorn,

6 November 1733.

Patrick Lindesay, esq., lord provost of Edinburgh, preses ; Edinburgh, William Clerk ; Stirling, John Erskin ; Inverness, Mr Duncan Forbes ; Bruntisland, John Hogg ; Kinghorn, Thomas Millar ; Dumbarton, Mr James Smollet ; Elgine, William Forbes ; Whithorn, Hugh Hathorn ; Rothesay, Guyn Vaughan ; Lochmabin, Mr Charles Erskin ; Sanquhar, George Irving ; Inverary, Mr Archibald Campbell ; Campbeltoun, Mr John Campbell.

Sederunt.

The complaint against John Hoggan and others mentioned in the preceding minute, with answers thereto, having been read, the committee assigned the 13th inst. for both parties to appear and submit the differences to the committee. And to the end that the common good might not suffer during the dependency of the controversy it was appointed to be rouped on Monday next at the sight of both the contending parties and also at the sight of the burghs of Coupar, Kirkaldie, Bruntisland, Dysert and Innerkeithing, or any three of them.

Act appointing
common good
of Kinghorn to
be rouped.

13 November 1733.

Patrick Lindsay, lord provost of Edinburgh, preses ; Glasgow, Alexander Finlayson ; Bruntisland, Archibald M'Aulay ; Irving, John Din ; Forres, Mr Hugh Forbes. Edinburgh, Stirling, Inverness, Kinghorn, Dumbarton, Whithorn, Elgine, Lochmabin, Sanquhar, Inverary and Campbeltoun, same as at last meeting.

Sederunt.

The complaint against John Hoggan and others being again read, William Wardlaw produced a commission by the magistrates, council, and others of his party empowering him to submit all differences to the annual committee ; and Robert Hamilton, younger, shipmaster in Kinghorn, "produced a commission granted to him by the said John Hoggan and others, the councillors and deacons of crafts of his party," empowering him to defend the complaint, "and therewith he also presented a petition in name of the said John Hoggan and others setting furth that they were unanimously of opinion never to enter into any submission

Kinghorn,
complaint
against John
Hoggan and
others.

EDINBURGH.
13 November
1733.

Kinghorn,
complaint
against John
Hoggan and
others.

unless, amongst others, it were established as a preliminary that they were to continue in the full exercise of their power as magistrats till such time as the point of right take issue by a final sentence." The commissioners of the burghs appointed at last meeting to assist at the roup of the common good also reported that they went to the burgh on 12th inst., "and offered to enter into the Tol-booth or Townhouse at the time of the said roup, but were forcibly kept back and stopt at the entry by John Sanders, late baillie of Kinghorn, and Robert Hamilton, commissioner for John Hoggan, and his party above named, and by four town constables, with severall other persons assembled in a riotous and tumultuous manner;" whereupon they read the act of the annual committee and protested against the refusal of access. After reading this report, and the commissioners for parties being interrogated if they were willing to submit the differences to the committee, and provost Wardlaw having agreed and the other party refused, the committee in terms of the act of convention 1706 ordered the agent to concur with Wardlaw and his party in any process in the court of session for supporting their election as magistrates and council or preserving the common good. The committee also remitted to the annual convention to consider the contempt of the royal burrows' authority by John Hoggan and his party.

18 December 1733.

Sederunt.

Patrick Lindsay, lord provost of Edinburgh, preses; Dumbar, James Fall; Wigtoun, John M'Gowan. Inverness, Irving, Lochmaben, Sanquhar and Whitehorn, same as at last two meetings.

Exchequer
fees.

1. The preses acquainted the committee that the clerks in exchequer had proposed in place of such fees as are payable to them at fitting the burrow equies they are willing to accept of a yearly sum certain, payable out of the missive, less than the annual amount of these fees, which would be an advantage to the burrows in general; which being considered by the committee they appoint [a subcommittee] to meet with the clerks of the burrow equies and commune with them anent their said fees and report the same to the committee. And further recommend to the said subcommittee to consider whether it would also tend to the advantage of the burrows in general that the rents and dutys payable to the crown by the burrows were likewise payable out of the missive and in what manner the same may be done and report.

21 February 1734.

Sederunt.

Patrick Lindsay, lord provost of Edinburgh, preses; Edinburgh, Thomas

Dick ; Bruntisland, Archibald M'Aulay ; Irving, John Din ; Elgin, William Forbes ; Sanquhar, George Irving ; Inverary, Ronald Dunbar ; Fortrose, Mr William Forbes. EDINBURGH.
21 February
1734.

Minutes of last sederunt read.

Minutes.

[Ordned the agent to forward a circular letter of the following tenor to the members of the annual committee :]

Letter calling
meeting of
members of
committee.

Edinburgh 21st February 1734. Sir,—The annual committee of the royal burrows having had several matters of importance under their consideration, such as the settleing a table of fees to the officers in the revenue of customs, the importation of beef and pork, cured with salt made in Scotland, into England, upon payment of the difference between the duty on salt made in Scotland and the duty on salt made in England, the preventing the ingathering of the land tax within the burrows by suspensions, the extending the manner of summar execution for recovering of smal debts within the burrows by a proper clause in the bill depending in parliament for establishing summar execution for recovery of smal debts within England, and sundry other things of like importance that may require an application to parliament this session, have putt off takeing any resolution thereupon till the first Tuesday of March next at ten a cloak before noon at this place, that all the members may have thereof timeous notice and may then attend and assist as they regard the welfare of the state of burrows, which by their appointment is signified to you by, [etc.].

The committee considering that there is a bill depending in parliament to establish summar execution for recovery of smal debts, also that there is another bill depending to regulat the manner of elections of members from Scotland, appointed the agent to desire Mr William Hamilton, by the course of the post, to obtain and send down coppys of the said billis or of the matterial clauses thereof to be laid before the committee at their next meeting.

Two billis to
be wrote for.

5 March 1734.

Patrick Lindsay, commissioner for St Andrews and present lord provost of Edinburgh, preses; Edinburgh, Thomas Dick ; Pearth, Patrick Crie ; Linlithgow, John Buckney ; Hadingtoun, Andrew Dickson ; Dysert, Thomas Spence ; Kirkaldie, Provost Barclay ; Bruntisland, Archibald M'Aulay ; Innerkeithing, John Cant ;

Sederunt.

EDINBURGH. Kinghorn, Thomas Miller ; Irving, John Din ; Wigtoun, John M'Gowan ; Dum-
 5 March 1734. ferming, William Wilson ; Ruthglen, James Bogle ; Ranfrew, John Cochran ;
 Sederunt. Elgine, William Forbes ; Tayne, George master of Ross ; Whithorn, Hugh
 Hathorn ; North Berwick, Lord Drummorie, absent ; Sanquhar, George Irving ;
 Dingwall, Alexander Jolly ; Inverary, Ronald Dunbar ; Stranraer, Mr Hugh
 Dalrymple, absent ; Inverbervie, Mr Charles Maitland.

Minutes of last sederunt read.

Crown rents,
 exchequer fees.

1. The subcommittee appointed on 18th December laid before the com-
 mittee a memorial from the clerk to the burghs æques, with list of rents payable
 annually to the crown and arrears thereon, and list of fees payable annually for
 fitting the æques, which were appointed to be laid before next annual conven-
 tion. The committee were of opinion that the convention should resolve that
 "hereafter both the crown rents should be ingathered and payed over by the
 agent and that in place of fees such a sum certain should be pay'd annually by
 the agent to the clerk to the æques and to the usher as to the convention shall
 appear reasonable, and further that the arrears to the crown should be made
 up and payed over as the convention shall think fitt, and the arrears for fees be
 transacted and satisfy'd as the convention shall direct, and that none of the
 burrows may bear more than their own proportion in the premises ; that the
 convention should either direct each burrow to pay their own respective pro-
 portion added to their proportion of the missive dues or to doe the same by such
 ane alteration in the tax roll as may make it equall, or in such other manner of
 way as to the convention shall appear expedient."

Letter to be
 written to
 members of
 parliament
 on several
 affairs.

2. The committee having considered the matters mentioned in the circular
 contained in the minute of 21 February, and also a memorial from the Merchant
 Company of Edinburgh "praying that a remedy may be obtained for recovery of
 the expense of diligence upon bills without the necessity of any action," a sub-
 committee was appointed "to bring in a draught of a circular letter to be wrote
 to the burrows representatives in parliament concerning the forsaid matters or of
 any other matter that may be propper to be laid before the parliament this
 session and to report next sederunt."

Custom house
 fees.

3. Remitted to a subcommittee to meet with the commissioners of customs
 and adjust a table of fees payable to custom house officers.

Eodem die, post meridiem.

Sederunt as above, Edinburgh absent and Renfrew absent. *Ceteri*, present.
 North Berwick and Stranraer also present.

Minutes of last sederunt were read.

Letter to
 members of
 parliament.

A draught of a circular letter to the members representing the
 burrows in parliament was delivered in by three of the members of the
 subcommittee to whom the same was committed last sederunt and was

read, whereof the tenor follows :—Sir,—The annual committee of the royal burrows of Scotland observeing that by the act of parliament made in the fifth year of his Majesty, entituled ane act for reviveing the dutys on salt, for the term thereinmentioned, white herrings cured with salt made in Scotland are made importable into England upon payment of a duty of two shillings and 4d. per barrell as the difference between the duty on salt in England and the duty on salt in Scotland, but thereby neither cod, ling, hake, red herrings, beef and pork cured with salt made in Scotland are importable into England, which appears to be an inequality in these branches of trade that ought to be remedied by imposing a duty upon these goods equal to the aforesaid difference as is done upon the whyte herrings, and therefor as a bill is now depending in parliament to continue the duty on salt for a term of seven years the committee have presumed to cause persons skilled in these matters give their oppinion touching the several quantitys of salt necessary to the curing of the aforesaid particular goods whereby the aforesaid difference can be ascertained, a copy whereof and of a draught of a clause to be offered in that behalf will be delivered to yow by Mr Hamilton. The commissioners of the salt dutys in England have refused to pay the debentures upon salt salmond cured in Scotland because the owner or master of the vessell had not taken ane oath prescribed by ane act made before the Union, 2^o and 3^o Anne Regine, entituled an act for the better secureing and regulating the dutys upon salt ; by which means the fish became forfeited and double the value. This seems to be an infringment of the Union with regaurd to the equality of trade and therefor a clause be brought in to allow salmond cured in Scotland to be carried coast ways to England and from thence to be exported to forreign parts and be allowed the debentures as if they were exported from Scotland directly. That a clause be likeways brought into the salt bill subjecting the salt dutys in Scotland as a fund for the payment of debentures upon fish and flesh there cured and from thence exported, &c., the clause appropriating the duty for that purpose in the last salt act being doubtfull.

The traders in this part of the United Kingdom doe complain that as the laws now stand relative to execution upon bills of exchange and inland bills summar execution can only be had for principal sum and interest but not for the expences of that very execution or dilligence,

EDINBURGH.
5 March 1734.
Letter to
members of
parliament.

EDINBURGH.
5 March 1734.
Letter to
members of
parliament.

which is recoverable only by way of action which often times proves to be a remedy worse than the disease, and for remeiding whereof it is humbly proposed that a clause be offered to parliament in any bill depending relative to Scotland, a copy whereof also will be delivered to yow by Mr Hamilton.

The committee having been informed that some of the judges of the supreme courts here have offered to serve in parliament at the next election, and the committee being fully perswaded that were the judges of the supream courts capable to have seats in the honourable house of commons it would be attended with most pernicious consequences to this part of the United Kingdom in general and to this city the ancient metropolis thereof in particular, which unavoidably in little time would destroy the whole state of burrows; wherefor as their is now a bill depending in parliament to regulat the elections of members of parliament in Scotland, if that bill does not contain a clause to disqualify these judges from being elected it is humbly proposed by the committee that a propper clause may be offered to prevent this evil effectually.

The committee being likeways informed that endeavours are here used to promote applications to the parliament for rescinding the act establishing a septennial parliament and for introducing a triennial one, and the committee being fully convinced that such an alteration cannot be attended with any benefit but must be followed with evil consequences, namely to the state of burrows, doe in the most sollicitous manner request that you will join in opposing the same.

As the committee have had frequent proofs of your good offices to the whole state of burrows on many occasions they doe perswade themselves that yow will join and exert yourself with their other representatives in parliament in following forth and obtaining the above particulars which are of the greatest importance to the royal burrows of Scotland. I am [etc.].

“ Follows a computation of the difference of the duty of salt in England and the duty on salt in Scotland in the particulars aftermentioned, referred to in the first paragraft of the foregoing letter.

For every 120 wett codd, ling or hake, of fourteen inches and upward, 4s. 8d.; ditto under 14 inches, 4s. 2d.; for every barrell of wet cod, 3s. 8d.; for every 120 dryed cod ling or hake of fourteen inches and upwards, 1s. 7d.; ditto under fourteen inches, 1s. 5d.; for red herrings the 1000, 8d.; for every barrel of beef, 2s. 4d.; for every barrel of pork and in proportion for half barrel, 3s. 2d.”

[The first and second articles in the letter having been read over both were agreed to, the commissioner of Stranraer dissenting from the former.]

EDINBURGH.
5 March 1734.

The third article of the forsaid draught touching a clause to be offered in parliament to disqualify the judges of the supream courts here from having seats in the house of commons was again read and reasoned upon at full length; and amongst other reasons it being mentioned that the bill was already brought into parliament and that it contained a clause to the afsaid purpose, some were of oppinion that for that reason the motion should be dropt, others were of oppinion that there were other verry good reasons for dropping of it upon the whole. The article was agreed to be dropt.

Letter to
members of
parliament.

Articles dropt.

The fourth article, being a request to the members in parliament to oppose ane alteration of the act establishing a septennial parliament, was again read, and having been reasoned upon at full length the question was putt to proceed to the consideration thereof or not, and it carryed in the affirmative. Thereafter this article was read a third time and ane amendment made thereto and the question being putt to approve of it or not, it carryed in the affirmative; whereunto a dissent was entered by the lord Drummore, assessor for the burgh of North Berwick, for himself and on behalf of such as should adhere to him, and craved that he might be allowed to give in his reasons of dissent to be entered in record and thereupon took instruments; whereto Mr Hugh Dalrymple, member for the burgh of Stranraer, and John M'Gowan, member for the burgh of Wigtoun, did adhere; and thereupon did severally take instruments. After which the committee appointed the letter to be extended as agreed to and to be signed in their name by the preses and furthwith transmitted to the members of parliament for the burrows. And that the minuts of this sederunt be made out and signed at the sight of Bruntisland, Sanquhar, Stranraer and Inverary, or any two of them.

14 March 1734.

Patrick Lindsay, lord provost of Edinburgh, preses; Edinburgh, Thomas Sederunt. Dick; Bruntisland, Archibald M'Aulay; Irving, John Din; Dumbarton, Mr James Smollet; Whithorn, Hugh Hathorn; North Berwick, Lord Drummore; Sanquhar, George Irving; Inverary, Ronald Dumbar.

1. Appointed a subcommittee to prepare answers to Lord Drummore's protest and reasons of dissent.

Lord Drum-
more's reasons
of dissent.

EDINBURGH.
14 March 1734.
Conservator
depute.

2. Approved of appointment of Alexander Carstairs, merchant in Rotterdam, as conservator depute to reside at the staple port of Campvere.

5 April 1734.

Sederunt.

Patrick Lindesay, lord provost of Edinburgh, preses; Edinburgh, John Cochran and William Clark; Bruntisland, Archibald M'Aulay; Irving, John Din; Cullen, John Philp; Sanquhar, George Irving; Tain, George Master of Ross; Inverary, Ronald Dumber.

Answers to the
Lord Drum-
more's dissent.

The subcommittee appointed to draw up ane answer to the protest and reasons of dissent given in by the lord Drummor presented the draught thereof, which being received, the committee, in respect the dissent was printed and published, appoint the answer to be printed also and coppys thereof sent to the several royal burrows that their constituents might be satisfyed with the reasons and manner of their proceedings.

Committee to
draw up ane
address to his
Majesty.

The committee remitted to the burghs of Edinburgh, Bruntisland, Sanquhar, Dumbartoun, Cullen and Inverary, or any two of them, to draw up a congratulatory address to his Majesty on account of the marriage of the Princes Royal, his daughter, to his serene highness the Prince of Orange, and to lay the same before the committee at their next meeting which they appoint to be on Tuesday next.

Reasons of
dissent by
Lord Drum-
more.

Reasons of the dissent entered by Hew Dalrymple of Drummor, esq., one of the senators of the Colledge of Justice, as commissioner for North Berwick, in his own name and in the name of the commissioners of the burrows of Wigtoun, Whithorn and Stranraer, who adhered to the same, and of such other of the commissioners then present as may yet adhere. That the reasons of dissent may be the better understood it will be proper to premise that the convention of royal burrows has limited powers. They have unquestionably a right to proportion the respective quotas of the land tax payable by each particular burgh and the ten pounds of the £100 (or supposed total of the land tax imposed upon the whole burghs) amongst unfree traders in barrons or burghs of barony and regality, as the inhabitants thereof happen to accept of the communication of trade. They have a power to take care of the trade of the royal burrows and may be allowed to have a power to consult and deliberat amongst themselves upon makeing proper applications for obtaining new laws which concern trade where such alterations may be needfull. It may also be admitted that the convention has some power to regulat the police of any particular burgh tho' that has been denyed often and verry lately by some people who perhaps upon this

occasion are very willing to consider the power of not only conventions but even of their annual committees to be of very great, nay of illimited extent. In short it may be admitted that as to all matters which relate to trade which is by law in a particular manner a propperty of the royal burghs with a power or perhaps a necessity upon them to communicat their property to a certain extent, the royal burghs have not only extensive priviledges but considerable powers.

EDINBURGH.
5 April 1734.
Reasons of
dissent by
Lord Drum-
more.

It is the laudable practise of the convention of the royal burghs, even in matters which fall under their cognizance, to direct certain of their number to send missives to the several burghs which contain the heads or substance of the matters to come before them, to the end no doubt that each commissioner as to matters of importance may come instructed and prepared by his constituents how he should demean himself, and if by the influence of any great burghs, or perhaps of one, sometimes matters not contained in the missive have been overhauled and brought in by brique and surprize, it has justly been complained of by the whole rational world and should be complained of by none more than the burghs and particularly the lesser burghs, it being always to be apprehended that sudden and irregular resolutions of which no previous notice is given according to the good old custom are more the effect of party work and perhaps of some dirty job than any reall utility or any thing meant for the utility of the state of burghs. The power of the city of Edinburgh is verry great in calling conventions *pro re nati* or of the annual committees of such conventions. Her welfare must indeed be of great moment to the burghs, and this power which is somewhat modern (for anciently the convocation itself walkt about and diffused its benefits and happy influences to several burghs tho' that by many years practise has been confined to Edinburgh) has become so great, probably because Edinburgh was the seat of government before the Union, because the parliament was at hand to solicit any thing proposed for the good of the state of burghs and because the privy council and great courts of judicatory seemed to be fixt there, and possibly because of services the city of Edinburgh has done herself and the other burghs.

As long as the power of the city of Edinburgh is lodged in the hands of men who have the good of the burghs and the nation at heart and employ it for that end, certainly it will be needless for other burghs to complain; but should it be our misfortune to see the chief magistracy of that city fall into the hands of a man more guided by his own intrest than by the interest of his city and other burghs it would be time to look with some attention into the exercise of that power with which not properly speaking the city of Edinburgh but her first magistrat is vested, at least now is and for many years backward has been, if that power shall be observed not to be employed singly for the benefit of the burghs in general and the city of Edinburgh in particular, if calling upon conventions or their annual committees in appearance for reasonable causes but in

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effect to carry on the little politicks of any party whatever, shall appear to be such a man's aim and shall be attempted to be carried thro by stealth and surprize, if by such sly and subdalous practises it should ever happen that considerable bodys of men shall be endeavoured to be attacked in their rights and privileges as far as and farther than the power of ane annual convention can goe, if matters of the greatest moment shall be attempted to be hurried thro' at one dyet of convention and which is more extraordinary of ane annual committee, as to the last of which it is possible to suppose some pains may have been taken to have a meeting packt for the purpose, then indeed one may safely say such power is turned into a most corrupt and pernicious use and needs verry much to be chequed and regulated; and it may justly be feared such a man's power will be employed to intimidat and to overaw burghs into a servile compliance with measures which they are averse to. But as the freedom of the state of burghs is guarded by the laws of the land, if they will but attend to their own true interests they have power enough to relieve themselves from the hands of any man who dares to attempt to enslave them, and if the city of Edinburgh consult her own interest no burgh will be more forward to cheque and regulat such abuses as she.

Upon the 21st. of February last there was a letter directed to the burghs of the annual committee upon several matters which seemed to have reference to matters of trade which the letter says had been under the annual committee's consideration of that date, to which particulars is subjoined a general clause in these words: "and sundry other things of the like importance that require ane application to the parliament this session"; but it seems a project was formed to bring in two verry matterial articles hand over head under the consideration of the annual committee. These articles were contained in the draught of a letter prepared by a subcommittee, to wit, Edinburgh represented by the provost only and he not a member, Bruntisland represented by provost M'Auley, Whithorn, Sanquhar represented by George Irving of Newtown, one of the town clerks of Edinburgh, and Bervie. It was discovered and complained of in the committee when these two articles came under consideration that neither Whithorn nor Bervie were acquainted of the subcommittee's dyet of meeting and it was specially notised that these articles were therefor in effect the deed of the representatives of Bruntisland and Sanquhar alone. The first mentions that the committee had been informed that some of the judges of the supreme courts here offered to serve in parliament at the next election, "and the committee being fully perswaded that were the judges of the supreme courts, capable to have seats in the honourable house of commons," [etc., *ut supra*, p. 562].

The second article runs thus:—"The committee being likewise informed that endeavours are here used to promote applications to the parliament for rescinding the act establishing a septennial parliament" [etc., *ut supra*, p. 562].

The first article being dropt makes no part of the subject of this dissent ; but the second being agreed to and my dissent being offered and admitted and to be recorded, I offer in my own name and in the name of those who did or shall adhere to me the following reasons of dissent :—

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(1) Because supposing for arguments sake that the convention itself had power to take such matters under their consideration (which wee think they and *a fortiori* their annual committee have not) it was at least proper that matters of such great consequence should have been specially mentioned in the missive directed to the members of the annual committee. Had that been done it had been reasonable to expect the committee had been full but that would have marred the whole project. The dependants of the city of Edinburgh, the far greater part of whom there is but too much cause to think for obvious reasons are but too willing to concur in any party job, must then have been less significant. It was therefor proper the matter should not be so explained as to make the committee full and therefor these two most important articles were wrapt up in general terms, and it is a known and just maxim that *dolus latet in generalibus*. The letter itself imports that some matters of the same nature and importance were to be under consideration and every body will be of opinion that has the least degree to impartiality that the matter of these two articles was quite different from the particulars mentioned in the missives. But it was proper, to carry on the job, to couch these in the most general terms, and this shamefull practise I take to be most hurtfull to the state of burghs ; for, in the first place, if under the pretence of such general words matters of the highest consequences are pretended warrantably to be taken under consideration and resolutions to be framed upon them there is indeed no occasion for a missive at all, neither to conventions nor annual committees, upon emergencies of affairs which affect the trade of the burghs. All matters of importance must rest in the breast of the provost of Edinburgh and such as he may call to his assistance. He and they need only to frame a missive mentioning a few particulars which members of ane annual committee may think of so common concern as may be left to his and their managment and leave any thing of importance to come as naturally they ought certainly per sally and by surprize. But it must be of most dangerous consequence to the state of burghs if under such general and fraudulent words matters of the greatest importance, whether directly concerning the trade and state of the burghs or things quite distinct, and which only by remotest consequences and strained inferences it can be pretended doe affect them, can be by shorthand brought in and considered and resolutions taken upon them, and this it is hoped the burghs so soon as they shall have a proper opportunity will duely advert to.

(2) Because in my opinion the annual committee had no power to consider of the matter contained in the article altho it had been specially

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mentioned in the missive, because the committee had no power to make it the head of a missive. The committee has only certain powers committed to them of which it cannot be supposed to be one that it should watch over the legislature and take upon them before hand to judge of or, in the words of some of the committee, to give their sense of matters of such high importance which by the article is plain the committee thought were to come before the parliament. It is a principle of common sense as well as of law that one person or a number of persons delegated or commissioned by others to do a certain thing or things have no power to meet in the name of their constituents and transact other things than these which were specially delegated or commissioned. Matters of trade are indeed specially committed to the annual committee and probably such heads of the missive as were left unfinished by the convention itself, but surely matters of state, the utility of this or the other act of parliament, which by the greatest torture cannot be brought to have the least direct concern with trade, the state of the burghs or any thing committed to the annual committee, lay quite out of their sphere. They had nothing to do with them. It was nothing to the purpose that the alteration of the septennial act might affect the state of burghs or did affect them or their elections in which they were concerned. Soe does every bill that is intended for enacting a new law or repealing ane old, useless; and perhaps hurtfull one; but it will not from thence follow that the annual committee of the convention have a right to take every bill brought into parliament into consideration, to give their sense of it and to pretend to instruct or request the members of parliament representing the burghs to concur with or oppose such bills as in their opinion are advantageous or hurtfull. That is a peice of the highest arrogance and presumption in the general and in a singular manner injurious to the particular burghs who alone have power to correspond with or instruct their several members of parliament. But to show beyond the power of cavil that the committee had no power to take matters of this sort under their cognizance their instructions from the convention are conceived in these words:—"Edinburgh 5th July 1733. The which day the convention appoints the commissioners for the burghs of Edinburgh, &c., as a committee to sit after dissolving this present convention to consider what is remitted to them, and particularly to consider everything relating to trade, the unfree traders, the staple and transgressors thereof, and to adjust and determine in all differences that has arisen or may arise amongst any of the royal burrows betwixt and the next annual convention, and to consider the circumstances of the unfree trade, compound, transact and agree with such of the burghs of barrony and regality and other unfree traders as are willing to accept of the communication of trade and use endeavours to make such as have accepted of the communication effectual; and the convention recommends to them to meet frequently; and

declair that three of the committee shall be a quorum for unfree trade and five for all other business committed to them, Edinburgh being always one." I want to know under what head of these instructions this power of judging of such matters comes to be classed, and I submit it to the royal burghs if it is not monstrous to suppose so valueable and important things as these contained in the article now under consideration can be supposed to be remitted to the consideration of the whole, much less to that of any five of that committee.

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(3) Because no letter that may be wrote, no instruction that can be given by this committee, can or ought to be regarded by any member of parliament. The members who represent the burghs in parliament have nothing to doe with the convention itself, far less with their annual committee. Neither the convention nor annual committee can declair the sense of the burghs with respect to any publick matter and tho' the plan of the job was first to declair the committee's oppinion in a thing they had nothing to doe with, to lead or rather mislead the burghs to give the same oppinion, yet as there is great reason to think that the magistracy and counccills of the several burghs are not led with the same corrupt views that some people are, they will not it's hoped suffer themselves to be made a job of but declair their own oppinions upon such matters which if they should doe the oppinion of the committee must surely goe for nothing except to stand an example of a peice of verry great presumption in pretending to give their oppinion for others from whom they have no sort of commission to act in such matters. Besides as it must power contempt upon the committee should the particular burghs give contrary advice or instructions to their members of parliament, and as it was admitted in the argument that not as representing the burghs nor in their name but in our own and as single men the committee were to give their oppinion as for themselves and not their burghs, and as it was admitted that the oppinion of the respective burghs must prevaill over and set at naught any oppinion that could be given by this committee, these things were undenyable proofs not only of want of power of any sort in the committee to take upon them to act in such matters but also that nothing else was intended than by way of party job to try by the authority of the committee to impose upon the several burghs to follow an example the committee had no power to set before them, which I take to be a high affront and indignity done to each particular burgh and what must bring the annual committee to be quite useless to the royal burghs, which must be the case so soon as it appears (as by this transaction it does) that meetings are packt and jobs set on foot more to recommend the usefulness of some one man or other to a party than to follow out with singleness and integrity the true interest of the royal burghs; and as a compleat evidence of this the other article tho' dropt shall just be mentioned.

The magistrats of Edinburgh have upon many occasions shown abundance

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of respect to the lords of session. They have always desired to be in a good correspondence with them. These magistrats never once have attempted to strick at any thing that lookt like a priviledge belonging to the lords without at least previously consulting with them. Former magistrats thought it prudent to use the lords with discretion, to be well with them and even to support their intrest. By the date of the missive letter to the members of the committee its plain there was access to state any thing to the lords that concerned them personally, but upon this occasion it is beleived the inhabitants of that city cannot take it well if by any of their magistrats or servants or by their procurement ane article should be formed recommending it to the representatives of burghs to promote a clause in ane act of parliament to disqualify the judges in our supreme courts from sitting in the house of commons. This was only levelled at the lords of session and particularly at one of them. This unmannerly project was carryed on with such secrecy that by mere accident it came to be discovered. Perhaps it might be discovered to some but there were besides many of the lords in or near town who got not the least hint of it. I, tho' assessor to the commissioner for the burgh of North Berwick, and tho it was well known I was in town, was neglected even as a member to be acquainted of the meeting. It was enough I was told from the chair that the missive had been sent to the burgh tho' with respect to others perhaps more care was taken to have them attend. This proceeding against a body of such consideration at hand but not acquainted with what was a doing is, at the same time that it shows the utmost disrespect, soe plain a proof of a job of shamefull work that I apprehend the royal burghs have every thing to fear from men who doe not scruple so boldly,—so boldly did I say,—no, so insidiously and presumptuously to invade the rights of other men of great figure and consideration and to doe what they can to have them stript of them without so much as giveing those whom they were bound both to honour and respect the least warning that their rights were to be attackt, which were it for any purpose in this present dissent I could maintain to be very well founded ; and that there is not one judge in the United Kingdom (not summoned to attend a service inconsistent with that of the house of commons) who has not the common priviledge of serving his country in it, and whoever was to show his party zeall against the whole court of session for the sake of one man of great merit, surely it ill, verry ill, became the lord provost of Edinburgh to lead up a dance of that sort. But as this was a part of the job it is a full proof of the spirit which has carryed thro' the other article, and I doe submit it to the consideration of the royal burghs and the world if their power and authority is not imployed and used to most noble and excellent purposes.

(4) Because when it was carryed by the majority of a single vote that the committee should proceed to consider of the article touching the duration of

parliament, I did propose that the matter might be subcommitted, for which there was the more reason that tho' one of the subcommittee formerly named had taken upon him without so much as conferring with the other members to prepare a draught of this part of a letter to be wrote to members of parliament, yet the affair was plainly of such consequence that it required to be deliberately talkt to. I represented that if such a thing came before any of the houses of parliament as a repeal of the septennial act it would be agreeable to their wise method of procedure to committ it even to a committee of the whole house, that it could not pass into a law without being thrice read in both houses. I was seconded in this motion but no attention was given to a reasonable proposall of that kind. The majority of the committee it seems were either so well prepared to goe on and to finish their job or were so clear sighted that at once they could ballance all the conveniencys and inconveniencys, all the advantages and disadvantages that could possibly attend the law its standing either the one way or other ; and to be sure there could be no doubt but that gentlemen of their penetration could comprehend all things in the twinkling of an eye, nor could there be the least reason to doubt of their great capacity in rightly judgeing of them. This however I take to be a thing altogether unprecedented by the practise of the royal burghs or any other well governed society with so much impetuosity and percipitancy to proceed to determine in matters of the highest importance, and in this directly contrary to what had been done by the same committee at their former meeting which subcommitted it. It was not pretended that the subcommittee had once mett upon it tho' it may be true that there had been some overly conversation upon the head in company at dinnar. Wherefor as it was the highest arrogance and some thing near to falsehood in one man of the committee to draw up this article by way of a report of the subcommittee it was percipitant and unjust to take such a thing into consideration without subcommitting it but that might delay the job one post and all this was therefor reasonably slurred over.

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(5) Because supposeing the annual committee had had power, as it had not, to meddle in such matters, and supposeing the report of the subcommittee had been made regularly, as it was not, was any oppinion to have been given upon the matter by the committee it was their duty to have requested the members of parliament representing the burghs with vigour and spirit to have concurred with and supported any bill which might be brought in to restore the frequency of new parliaments by making them triennial ; because in the first place calling new parliaments as least once in the three years is most agreeable to our constitution, and indeed of this there needs no better nor convinceing proof than the article of our claime of right and of the English bill of rights in both of which it is mentioned as a right of the subject (and consequently a valueable part to them

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of the constitution) "as what would tend to redress grivances to amend, strengthen and preserve the laws that parliament should be frequently called ;" and among other things they insisted upon this "as their undoubted right, and privilege and that no declaration, judgment, doings or proceedings to the prejudice of the people in any of the premises" (the last of which is the article I now insist upon) "ought in any ways to be drawn in consequence or example." These are word for word what both nations now united did at that time insist upon. If wee shall look back into history wee shall find that anciently parliaments were annual, and it is pretty certain that till the reign of Henry the Eighth of England, a prince that did show no small appetit for arbitrary power and whose reign was indeed violent, there is not one instance to be found of the prorogation of one parliament.

The length of parliaments or the not calling them at all was loudly complained of in some reigns that preceeded the happy revolution. Many attempts without success were made to establish triennial parliaments. At last at the happy revolution the above mentioned article of right was claimed, insisted upon and admitted as one of the fundamentals which composed its basis.

Notwithstanding of this, not for five or six years after it indeed, to the great disappointment of the nation, by the influence of ministers whose interest alone it was to ward of soe just and expected a thing, ane act was past by which it was provyded that a new parliament should be called once in three years, and this most valuable law, as it was lookt upon as the great and chief barrier of the libertys and rights of the people, continued unshaken for the space of thirty years dureing which time it is impossible to condescend upon any bad consequence or ill effect it produced.

I have said that it was the interest of the ministers for the time alone that prevented the enacting soe just and valuable a law and what the nation so reasonably expected as most agreeable to the constitution and necessary to support it, and no doubt every minister will endeavour to have the same parliament to sit and continue as long as he can. In a short time it is not easie for a minister to seduce the representatives of the people who are chosen to be and ought to be the guardians of their libertys, nor to prevaill upon them for little advantages to themselves to falsify their trust and to turn their cruell and polluted hands against the country which they ought to protect and defend, but length of time with the constant wyles and arts of ane insinuating designing minister may possibly bring a parliament te be at his devotion and then indeed there will be the greatest reason to apprehend that the libertys of the people are in the utmost hazard. If it should be our case that a parliament should become obsequious to a haughty imperious designing minister, which there would be still the greater reason to apprehend if the parliament should be allowed to sit for a

long period, wee must be exceeding miserable ; and therefor since I am forced to give my oppinion upon a subject that I think this committee has nothing to doe with, I cannot but think it of the greatest consequence to the nation that there should be a frequent return of the time when the electors have a right to enquire into the conduct of the elected and to canvass their proceedings in parliament soe far as rightly to direct themselves to a choise of those who love our constitution.

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Besides, it is at least supposeable that a ministry by giveing pensions and employments to some and cadjoling others with the hopes and expectations of them, by corrupting of electors and returning officers, may secure to his obedience a majority of one of the houses of parliament at the verry entry upon a new parliament, and to encrease his party by such helps as every body knows are in a ministrys power ; if that should at any time happen to be our miserable case what hopes could we entertain of seeing the parliament exert themselves in protecting the country ? Wee should have greater reason to fear even the parliament itself might become the tools of oppression in the hands of such a ministry, and instead of being the terror of evil ministers we might expect to see them the ministers obsequious agents and be more apt to pull down ane honest man that dared to stem the tyde of oppression and wickedness than to stand up for the rights and libertys of the people. We might expect to hear such men call those who were ready to give what was most valuable to the country the true freinds of our constitution and call those who had courage to assert their countrys cause Jacobites and Republicans. Now it is to be hoped that every body will agree that [no] heavier curse could fall on any people than to have such a parliament and to have it entailed upon them.

It is verry true that under the reign of our present most gracious sovereign wee may expect that none of these evils shall befall us, nor had the nation any reason to apprehend the like danger under the reign of our great deliverer King William. It is a matter that is indifferent to the prince whether parliaments are of longer or shorter duration. It is the interest and duty of parliaments to provyd for the safety, honour and dignity of their prince in all respects. If they faill in that they faill in their duty not to him only but to themselves. No sovereign was supported with more lusture than the late Queen was by triennial parliaments, but should it ever be a question between the prince and the people (a thing that most certainly cannot now happen) whether parliament should be longer or shorter lived, it is impossible to hesitat one moment to which syde a man of sound revolution principles should incline ; but as it cannot always be supposed that wee shall be happy enough to have good and wise princes to rule us, and as it is possible a verry good and wise prince may be unlucky enough to have a corrupt and designing minister, it is the business of every man who has or imagines he has power to give his oppinion in publick matters to

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direct his views to have our constitution brought back to its former state by reviving the act which establisht triennial parliaments which most certainly is most conducive to the true interest of the nation. Seven years is to the bulk of mankind as good as a term of life and that every body must allow is too long a term of endurance for parliaments.

It is true that in the reign of King George the first the triennial act was repealed and a septennial act was made but wee can remember that it was a necessity of state the then condition of the island. A rebellion lately extinguished, and the hazard there might be of allowing of great assemblys of men to meet before these animositys which had thrown us into the convulsions of a civil war were quite abated, which were given as reasons for this most matterial alteration of our constitution. At present we enjoy a perfect calm peace at home. There are no open enemys within our borders pretending or dareing to disturb our present happy tranquillity ; and if these reasons which were temporary doe now subsist no more, as surely they doe not, since the cause of that matterial change has ceased the effect ought also to cease and our constitution ought to be putt in the same condition in which it had remained but for reasons of state for which, God be thanked, there is not at present the least pretence. Nor will this observation that matters of elections imbroyl even freinds and make them differ so among themselves, wherefor, said one gentleman, I'd rather wish to see the parliament do-decennial ; nor that other observation, made by ane other gentleman, that triennial parliaments turned the people of burghs idle and diverted them too much from their business, be of the least consequence to avoid the force of the preceeding observations, the substance of which was mentioned to the committee ; because to this it was answered that if the triennial act was so great a fence and barrier of our libertys, if any gentleman thought the entertaining the burghers of a town perhaps for a fourtnight once a three year occasioned such a diversion as to overballance all the advantages of it, he must have so mean and contemptible a notion of the value of the constitution and of the liberty of the subject secured by it that it did not deserve ane answer ; nor can a judgment founded upon such a trifling answer to arguments which have ever been lookt upon as of the greatest weight I hope go far with any.

And as to divisions which the return of elections creat among freinds, it is my oppinion that the more frequent the return the fewer squabbles there will be either among them or others upon that score. No man would think it extream much worth his while to throw out great sums to secure the seat of one single year in parliament, but in proportion to the length of parliaments doe men sett a value upon a seat ; *hinc ille lachrymæ* ; a disappointment of a seat for which one has a fresh chance in three years may by computation be born with thrice as much ease as a disappointment for seven years, and most people to

gratify their ambition or their prevailling passion will give their money in proportion to the disappointment they dread and show their resentment, revenge, or whatever else moves them, just in the same proportion ; whence it follows as a demonstration to me that the longer lived parliaments are the greater the struggle will be and the more animosities it will raise. It will be admitted by the gentleman that what he means has been occasioned about the elections for a septennial parliament, and perhaps the length of a seven years parliament is a strong reason why one should not even trust his blood freind in parliament if it is his sincere opinion that he has done amiss ; but nothing could be more absurd than for any one member to form his notions of what concerns the whole island from one or a verry few more instances of that sort which neither doe nor possibly can affect the constitution. But the argument does not stop here, for if it is true that elections doe throw a burgh idle, if it is true that they divide freinds and that therefor parliaments should be called seldomer than once in three years, to be sure the seldomer the better. Let us therefor agree to make parliaments (*blank*) = ennial and all furdur trouble will be saved, at least people must be idle and quarrell about something else than elections.

I am extream sensible a great deall more might be said to verry good purpose, but as it is impossible to contract what has been the subject of many learned debates within a narrow compass, and being convinced that this paper has swelled into too great a bulk, and in cases of this kind it being allowed to add what may further be necessary upon any proper occasion, which I doe insist may be reserved to me, I choose to go no furdur at this time. *Sic subscribitur* : Hew Dalrymple.

Answers by the committee of the royal burrows to the reasons of dissent offered by the lord Drummore :—The committee of the royal burrows when the dissent was entered were verry much inclined to take no manner of notice of it, wishing it might pass as the fruit of a sudden passion not to be carryed further ; but finding it was published before it was delivered in and that it did contain several matters both in law and fact which have an immediat tendency to undoe the most usefull and most ancient priviledges of the royal burrows, that is the powers of their convention and the freedom and safety of speech in it, they as trustees deputed by the royal burrows for the preservation of their rights have thought it their duty, according to the custom of conventions in like cases, to make the following answers, that no impression may take place detrimental to the burrows or to the disadvantage of the members of the committee, who were not intimidated from doing their duty by the high threatenings of resentment cast out with great freedom of words at the time of making the dissent, not only from the honourable person himself who dissents but even in name of the high and sovereign court whereof he is a member, against all the committee of the royal burrows and severals of the single persons who then composed it, but more

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particularly against the good town of Edinburgh and its magistrats, especially my lord provost, tho he was then in the chair presiding in the court, in which the honourable person dissenting was joined by another of the committee who is also a member of the college of justice. The committee shall endeavour at this and all occasions to preserve the respect due to the high station possess'd by the honourable person who dissents from them in so passionat a manner, and to avoid with all care the angry expressions of "brique and surprize, party work, dirty job, more guided by his own interest than the interest of his city and other burrows, little polliticks of any party, stealth and surprize, subdolous practises, pains taken to have a meeting packt for the purpose, turned to a most corrupted and pernicious use, imployed to intimidat and overaw burrows into a servile compliance, general and fraudulent words, a peice of the highest arrogance and presumption, in a singular manner injurious to the particular burrows, directed with the same corrupt views that some people are, must pour contempt on the committee, a high indignity and affront done to each particular burrow, this shamefull practise, dependants on the city of Edinburgh, too willing to concurr in any party job, insidiously and presumptuously, highest arrogance and something near to falsehood, precipitant and unjust, not easie in a short time to seduce representatives of the people for little advantages to themselves, to falcify their trust and turn their cruell and polluted hands against their country, &c., but length of time, vizt. seven years, &c., may doe it, even the parliament itself may become the tools of oppression in the hands of such a ministry."

These expressions tending to the immediat use of other weapons than words and therefor not to be tollerated even in privat debates and conversation among gentlemen, much less to be indulged in publick differences amongst persons bearing offices of trust and authority, nothing has been in all ages and countrys represented in a more odious light by those who have endeavoured to form and civilize the natural ferocity of mankind than the use of fowl and reproachful words in publick concerns. Witness the account of Shimei's reproaches against David, and the character of Thirsites whom Homer introduces reproaching Achilles and Ulysses, on purpose to show the difference between such impotent anger and the just wrath of the virtuous and brave.

The committee is far from applying any of these characters to the honourable person who dissents from them; they freely pardon the words as the effect of sudden passion and mention these things only as a reason why they make no returns of the like kind as is but too commonly done in such cases and might possibly be expected by some from them.

The dissent begins with subjecting to debate the extent of the powers of the convention of the royal burrows and gives a verry narrow and confined oppinion about them. When the royal burrows or their committee are called before a proper court to debate for the preservation of their priviledges they hope

to maintain them to the satisfaction of the whole court whereof the honourable person who enters the dissent is a member. In the meantime the committee must be allowed to complain that any person sent up as a commissioner or assessor from a royal burrow, be his character otherwise what it will, should, without any just occasion, draw on an extra-judicial debate as to the general extent of the conventions powers and pronounce soe violently against the body of which he is a member.

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The committee cannot conceive that such debate can be intended for the advantage of the royal burrows and may certainly issue in drawing in the whole of them to much trouble and expence. It indeed gives some concern that one of the members of the honourable court which claims right to judge and determine in the first instance of the extent of the priviledges of the convention has already given his oppinion against them in so strong a manner, but it's hoped this oppinion was only given in a sudden heat of some offence and will be no rule in judging.

In answer, therefor, to the objections of the assessor of the royal burgh of North Berwick to the powers and priviledges of the convention of the royal burrows which the committee believes he was sent up to defend, the committee think it sufficient at this occasion to make a general reference to the printed laws and acts of parliament and charters from the crown containing their powers, also a list of precedents in like cases thereto annexed, No. 1st, whereby they conceive the honourable persons objections will be fully removed.

In the meantime tho the committee is far from quarrelling any of their members for differing in oppinion from them as to particular points, yet they beg leave to recommend it to the several royal burrows to instruct the members and assessors they send up not to draw in the general powers of the convention into debate and not to take part against the powers of the convention and even to mentain their differences of oppinion in particular points with such temper and moderation as is consistent with the being and continuances of their meetings.

The committee is truly unwilling to press any thing home against the honourable person who publishes the dissent further than it was meant and intended by him, but the expressions he used in the meeting of persons cringing to the lords of session, considering his high station, and following such expressions with calling the general powers of the convention in question are facts of so dangerous consequence to the liberty and freedom of speech and vote in the convention and its committees as hitherto have had no example so far as the committee knows or has heard. Many are the occasions on which members of the convention or committee may have great reason to apprehend danger to themselves from the threatened resentment of a judge and hardly can any act of a person in power be a more effectual bar to liberty and freedom of speech and vote in a meeting than threatenings from a judge.

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The honourable person who enters this dissent seems in many passages to make strong insinuations of present fears for our national libertys and privileges from the practices of corrupt and powerfull ministers of state. The committee is confident no one instance can be named of any minister of state that now is or has been of late years in his Majesty's service who adventured in any meeting or society of which he was a member upon so strong an act of power so directly tending to overawe and intimidat others into a submission to his sentiments as this verry dissent, conjoined with the threatening words as to the resentments not only by the person dissenting but even by the sovereign court of which he is a member. This way of acting from another than the honourable person dissenting would have too great similitude to crying fire in order to rob the house, but all the members of the committee who happen at this occasion to have fallen under the honourable persons displeasure have the honour to know him too well to suspect any thing intentionally bad from him. He has till within these few moneths not only joined but has been distinguishedly active and forward in every measure pursued by them in affairs either of church or state, and if there be any reason for complaining of dirty jobs, &c., it is impossible for the honourable person to have escaped having so deep a concern in them as will make it verry difficult for him to wash his hands of them; and the committee humbly beg leave to say at this occasion that washing of hands in such a case is a most dangerous practise. Often washing makes one too little afraid of dirtying their fingers and soon makes every body diffident that what is pursued today with activity and forewardness may tomorrow be called dirt and jobs, &c. The dissent proceeds to state the manner in which the points in question were brought before the committee for their resolution, as if they had been brought in hand over head and by stealth and surprize, and as if pains had been taken to have a packt meeting for the purpose, yet the fact when stated appears to have been much otherways. The point of the committees making some proper application in relation to matters depending in parliament was fully mentioned in the meeting of the 21st of February and the general words of sundry other things in the missive were then understood by all present and spoke of as bearing relation to such matters as appears by the minut of that meeting, whereof a copy is in the printed appendix No. 11, bearing among other things an order to their agent to wryte to London for a copy of the new bill relating to elections to be considered at the meeting on the 5th March, soe that there is not the least pretence for the reproach of carrying matters by stealth and surprize. Besides it is very rare to mention in missives sent for convening the annual committees any of the particulars to be treated of at their meeting and it's beleived no instance can be given of convening the annual committee by missives containing the matters to be treated by them.

And as to packing a meeting and bringing members to it for the particular

purpose of voting in the questions dissented from, if any such thing was done it must have been on the side of the dissent, for the several members were in town who were known to be of the sentiments dissented from, yet not a man came to the meeting in which the dissent happened who had not been occasionally at it in the morning except some who voted on the side of the dissent as will appear by compareing the minuts of the committee on the 5th March *ante meridiem* with their minuts that day *post meridiem* in the printed appendix No. 3, tho' the truth is that the particular point relating to the septennial act had not occurred to any of the members till after the mornings sederunt was over, when it was suggested that solicitations were going about to particular burrows and shires for making application to members of parliament for a repeal of it which is a demonstration that there was no such thing as packing on the side of the majority of the committee.

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As to the not calling Whithorn and Bervie, the other two members of the subcommittee, answered (1) any two were declared a quorum and there is no such thing usual or expected as advertiseing or waiting for members of a subcommittee after a quorum of them meets; answered (2) The letter was shewn to the member for Whithorn and read by him before it was laid before the meeting, and the fault if any be lies at the other members own door who neglected to attend the subcommittee.

The next complaint is that no special message was sent to the honourable person who dissents. To this it was answered (1) the missive was sent to the town from which he is deputed as assessor; (2) he had never before appeared in the convention by virtue of this commission nor qualify'd himself in that capacity to enable him to act as a member of the committee, and there is some reason to think he was not himself sure of his being named assessor till he sent after the morning sederunt to enquire at the clerk's office, soe that truly no body of the committee knew that he was assessor or could have a thought of sending notice to him.

After stating the two points on which the letters to the members of parliament for royal burrows were proposed to be sent, viz., for a bill to disable the judges of the supream courts to be elected members of parliament and against repealing the act for septennial parliaments, the dissent proceeds to the particular objections. The three first objections, viz. (1) that the committee had no power to consider of such points unless they had been particularly expressed in the missive, (2) that the committee could not make the said points part of the missive, (3) that members of parliament could not regard instructions from the committee but must follow those sent them from the several burrows they represent, being all much of the same nature and tendency they shall be answered together.

The general point in these three objections is the right and privileged of

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subjects applying to particular members of parliament in relation to matters depending in parliament.

The committee begs to be excused if they testify some surprize to find the honourable person that dissents from them, who seems by the strain of his dissent to set himself up (the committee hopes with good reason) as a distinguished patriot of the libertys of the people, labouring to confine and restrain any sett or denomination of subjects whatsoever from applying to members of parliament in relation to publick and national concerns depending before them. The committee believes the right of subjects of every denomination and quality to petition even the parliament itself directly has been generally thought a point of patriotism, but they shall wave entering upon that question and give it up to the honourable person if he pleases for this time, yet they humbly conceive that the right and power of any meeting, of whatever order or degree of subjects, of writing a privat letter to one or more members of parliament can hardly be denied, they conceive no person, society, meeting or body of men, needs particular powers or instructions for that purpose. This is practised every day by single men and by meetings of all denominations, justices of the peace, town counccills, freeholders, &c., yet it was never thought of to examine the commissions of the justices or the particular sett and by-laws of burroughs regulating the powers of their magistrats and town counccill to find out whether they had a power to write their oppinion of publick matters to members of parliament or not ; and it is to be hoped that the honourable person who dissents from the committee will not insist, after he has time to cool of his anger, on excludinge the committee of the convention of royal burrows from what seems to be a common right understood to belong to every individual as well as to every meeting of whatever denomination, soe that notwithstanding of the zeall and warmth with which the objections of the committees want of powers is expressed and endeavoured to be proved by inserting the words of their instructions from the convention and of their missive to the several burrows, the objections are not relevent. There was no occasion for powers, instructions or missives, as to things understood to be the right of every body, and it was rightly observed by several members of the committee at the time of the debate that the committee proposed to write only in their own name but not in the name of all the royal burrows or as having special power to signify the oppinion of the several burrows which might indeed have made special powers necessary.

Answered (2). The committee begs leave to observe that the honourable person has misapprehended extremely the nature of missives when he states them as intended to contain all the matters to be considered. There is no such thing. Missives are commonly general and mention no particular points, and where any have happened to be particular as to some points they never were thought to exclude from the consideration of other points which occurred and seemed

necessary, as is evident from a multiplicity of instances in the records. Besides there are many instances in the printed appendix, No 4th, whereby it appears that the annual committee has been in use to consider of matters and to form addresses to his Majesty and to the parliament itself without any particular instructions relative thereto either from the convention or the several burrows, or any mention having been made of them in missives, in two of which instances, viz., 17th December 1734 and 18th February 1727, the honourable person now dissenting had an active and large share and had no objection for want of powers and no suspicion of jobs or party work, &c., tho' there had been no missives sent to particular burrows at any of those occasions, far less any notice of the particular matters to which the addresses to his Majesty and parliament then sent by the committee and formed by the honourable person now dissenting did relate. The committee conceives it to be extremely evident from the above first mentioned laws and charters from the crown that the royal burrows of Scotland have not thought their safety and advantage consisted singly in maintaining their separate and several immunities as they belong to each individual burrow, nor in the wisdom of their separate councils and resolutions, but in having the power and faculty of joining together in one united body and having the benefit of the joint councils and resolutions of their deputies assembled together in order to enable them to enjoy the privileges which do belong to them in common and to bear the burdens which affect them all jointly and severally. It is unnecessary to take up time in demonstrating that the royal burrows have judged rightly in procuring and maintaining with care as highly advantageous this common union of councils and submission to determinations resolved upon by joint advice. Individual societies as well as individual persons are weak and unable to resist when taken separately. *Dum singuli pugnant universi vincuntur* is an observation made by Tacitus in his life of Agricola of the ancient inhabitants of this island and holds in councils as well as in war. The views of single societies as well as of single men are narrow and selfish and generally by aiming at too much obtain nothing. This is one of the general foundations of the necessity and advantages of government and civil society. Whatever, therefore, hurts the regards necessary for preserving unity of councils amongst the royal burrows of Scotland and infuses jealousies of their conventions and annual committees lays the ax to the root of the tree of their rights and privileges. Why not blame and censure the measures, opinions and resolutions of the particular members, but that cannot justify the infusing general jealousies of the whole body and constitution. What if the members of the committee have erred at this occasion. Is it a consequence that the powers of the committee must be struck at by which the royal burrows have hitherto preserved a perfect unity of councils in all matters that have occurred in the intervals of conventions? What will be the consequence if the project should prevail

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of bearing down or abolishing the standing committees and depending on the resolutions of individual burghs? Certainly many different resolutions and opinions will appear opposit to each other soe that none of them can be regaurded *concordia res parvæ crescunt discordia maximæ dilabuntur*.

The dissent states it as a thing that will pour contempt on the committee if particular burrows shall appear to be of a different opinion from them as to the points which were in debate. The committee think very much otherways and conceive that it is so far from being a reproach or ground of contempt of the resolutions of the committee, or of any other convention or common councill of any kind, that they differ from what possibly might be the resolution of the individual persons or lesser societies from whom they are deputed were they to act and reason severally and by themselves. That on the contrary common councils of all kinds are established and have been maintained with zeal in all nations and ages, chiefly because their resolutions and determinations differed from and are found by experience for the most part to be much more conduceive to the common interest than the opinions and resolutions which proceed from individual persons or lesser societies acting by themselves. In the multitude of council there is safety.

The dissent seems to complain of the powers vested in the town of Edinburgh with relation to the calling of conventions or committees, but it is to be considered that this is one of the ancient privileges of the good town and a fundamental part of the constitution of the convention of the royal burrows. In earlier times only three other burrows were joined with Edinburgh. The experience of ages (as the committee conceives) has shewed the benefit of resting these powers with Edinburgh, the seat of our judicatorys and national commissioners. New experiments in matters of government are always dangerous.

The committee, therefor, cannot but testify a great deal of concern to find that a temporary offence and passion (for such they cannot but think has occasioned this violent and uncommon form of dissent) should have led the honourable person to vent doctrines so hurtfull to the common interests of the royal burrows of Scotland.

To the 3rd reason of dissent is subjoined a digression on the point of the lords of session being elected members of parliament, full of expressions that seem to proceed from much wrath—"soe boldly did I say, no,—so insidiously and presumptuously,—to invade the rights of other men of great figure and consideration." The committee of the royal burrows, all and every single member of it who join'd in the opinion dissented from, take liberty to say that expressions which could not with safety have been uttered in any privat company of gentlemen by any person of whatever great figure or consideration ought not to be sent abroad to the world in print. And it is a great satisfaction to the committee that the honourable person dissenting is the onely one of the judges

who (so far as they know) entertain any displeasure against the committee for this opinion. There is reason to beleive that on the contrary the most part of the judges themselves will in a case so glaring be convinced that it will be a loss to the court itself and to the whole nation to have judges chosen members of parliament.

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There seems to be no great occasion for entering on this point, it having been dropped by some of the committee because they were informed by the honourable person dissenting that a clause was already brought in to that purpose in the bill for regulating elections in Scotland, and by others for particular reasons not then expressed ; but the committee after declairing in the most solemn manner their intire deference and regaurd for the honourable court and for every one of the learned and honourable judges of it, and in particular for the honourable person who is thought to give occasion for the question, beg leave to say that in their humble oppinion the admitting of our judges to be members of parliament, whereby their residence for a great part of their time may necessarily be at London, may and probably will be attended with such inconveniences as are of the worst consequences to the subjects of this part of the United Kingdom with relation to their civil rights ; and it may be justly apprehended from the absense of the judges of our supreme courts in attending on parliaments a surcease of justice may naturally happen and claimes of the last importance lye undetermined to the ruine of the persons concerned ; and the committee who in the intervalls of conventions are bound to notice the interest of the whole burrows humbly conceive they have not only an interest but good reason for this observation which must be verry prejudicial to the city of Edinburgh whose prosperity seems in a great measure to depend upon the regular meetings of the court of session in their full number, and any thing tending to the prejudice of the trade of that city they conceive must influence the whole burrows of Scotland.

The judges we at present are so happy to have are no doubt every one of them above all suspicion of being under any undue influences wherever they reside and whether they be members of parliament or not, but if there be such extraordinary ways of influencing members of parliament by corrupt great ministers of state as the dissent broadly insinuats, it is far from being impossible but that future ages may find some to have creeped into the bench of judges who if they are members of parliament may be susceptible of these bewitching influences and serve for them not only in parliament but even on the seat of justice.

The fourth reason proceeds on ane error in matter of fact both as to the number of votes by which it was carryed to proceed and with respect to the precipitancy of the procedure. Proceed was carryed by three instead of one mentioned in the dissent, as appears from the minutes in the appendix No. 3.

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It is true the committee of the royal burrows ought in all things to proceed with great deliberation but the parallel stated between them and the house of commons fails in every respect. There is a great difference between making of laws finally to bind the whole nation and giving a particular opinion by a letter to one or more members of parliament which has no binding effect till it be duely and maturely examined by the wisdom of the legislator itself. It is therefor surprizing to the committee to find a person of the great consideration and figure of the honourable person who dissents giving himself the liberty to use such provoking expressions with respect to any body of men or any single man as these—highest arrogance and something near to falshood, precipitant and unjust, &c. It is plain the order and decency of no meeting can be maintained if such expressions are allowed of. Besides, the proposal of a subcommitment ought in reason to have been the more moderatly insisted on. That it is pretty evident that a delay by a subcommitment would have been in effect the same with rejecting the proposal, for before the report of such subcommittee could have been taken and approved of and transmitted to London the matter would have been over in parliament.

The fifth reason enters into a very deep and momentuous question, one of the most delicat parts of our constitution, to witt, the period of time for which a parliament ought to subsist, in treating of which modesty both of expression and thought, as the committee conceives, ought to be strickly observed; and *in re dubia* the favour ought to be for the present established rule, unless obvious and plain disadvantages which have in fact arisen from it since it was established could be mentioned. Theories and supposed possibilities may be good and usefull in forming a constitution but cannot justify alterations of it unless to those be joined some ill consequences which have actually happened in fact. But the honourable person has not ventured to support his theory by mentioning any particular matter in which the corruption he fears from septennial parliaments by the artifices of corrupt ministers has taken place. On the contrary he vindicats his present Majesties reign from such imputation, and has not mentioned any such thing to have happened dureing the reign of his royal father, that is never since septennial parliaments were established. The theories therefor and apprehensions of consequences, none of which have yet happened, cannot as the committee conceives justify the arguing for ane alteration in a manner so exceeding clamorous as the honourable person has taken the liberty to doe in his dissent. The committee think it unnecessary to take the trouble of following the particular arguments insisted on but beg leave to observe that the quotations from the claime of right of Scotland and the bill of right in England are extremely much misapplied. What is there pointed at is not a frequency of elections but a frequency of meetings of parliament. Triennial meetings of parliament was all that was insisted for in the reign of King Charles

the 1st when the demands of liberty and parliamentary priviledges went pretty high, but no such thing was thought of as abridging the time of continuance of parliaments in case they were assembled once in every three years as appears from the first act of parliament in Scobell's collection.

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It is not matterial when prorogations of parliaments first took place in England. Certain it is they were in use long before Henry VIII, at least as early as Henry VI. When or where the length of parliaments was loudly complain'd of does not appear nor why it should be conjoined with the not calling them to meet.

It is beleived many who were forward in procuring the bill for triennial parliaments in the reign of King William lived to see and repent their error and mistaken theory. It is very certain they rendered the measures of government fluctuating, variable and uncertain, and occassioned frequent hesitations and verry disadvantageous delays in foreign powers entering into the necessary confederacies and alliances with us. It is also a mistake that the triennial act continued unshaken for the space of thirty years. It past only in the 1694 and lasted little more than twenty years, and septennial parliaments have continued near that time without any bad consequence that has yet been named, and if speculations are to be indulged it seems evident that in the nice and delicat constitution of government wee now happily live under, as it stands ballanced between the crown, the lords and the representatives of the commons, the shorter lived the representation be it will have the less weight and consideration in the ballance. There are some symptoms which plainly seem to declare that the weight of the house of commons in the ballance of government is considerably increased even since the septennial act, and many it is beleived have felt to their sad experience that the members of parliament are at no time so much in the reverence of a ministry as the year of elections. If this be so it is no smal happiness to find the crown and ministry studying to add weight to the representatives of the commons in parliament and making the periods remote at which they are necessarily subjected to the favour of the ministry. Different are those days and much to the honour of the royal family from the unfortunat time when the crown studyed to bear down the commons altogether and to govern without parliaments and called them to meet rarely except when the utmost necessities pressed.

Besides, whatever may be in the general question concerning the duration of parliaments for three or seven years, the committee was fully satisfied that the present posture of affairs in Europe, when a fresh war is broke out on all sides, in which Britain can hardly escape of having some share, is far from being a proper time for making so great an alteration as changing from septennial to triennial parliaments even tho' it were proved to be expedient in more quiet and peaceable times.

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The committee of the royal burrows confess themselves, therefor, to be extremely much at a loss to find out any good ground for the jealousies and suspicions thrown out, of the wiles and arts of an insinuating and designing ministry, and of the probability of their corrupting members of parliament, for little advantages to themselves, to falsify their trust and to turn their cruel and polluted hands against their country, unless it be that some have been disappointed of the promotions to employments in his Majesties service which they think they deserved and that others have been advanced to stations which some think greater than their merit entitled them to. If that be the case it is hoped redress will be obtained of that grievance at a cheaper rate than making any alteration in our present happy constitution. Nothing is more common than for the ablest of ministers to be mistaken in the characters and merits of those they neglect and of those they promote. It is possible that in some cases the ministry's mistaking mens characters and merits has been to the advantage of some who therefor ought to take with some degree of patience when the chance turns against them. This is one comfort that if any have happened to be promoted beyond what they are fit for they will in a few years discover themselves and possibly will fly in the face, with acrimony and sharpness, of the verry persons to whom they owed their promotion and show a grudge that any person should enjoy any office from the lowest to the highest employment who dares differ in oppinion from them. Then will be the time for the honourable person to see with pleasure the ministry discover their mistakes.

9 April 1734.

Sederunt. Patrick Lindsay, esq., lord provost of Edinburgh, preses.
Edinburgh, John M'Gill ; Bruntisland, Archibald M'Aulay ; Dunbarton, George Smollet ; Ruthglen, James Bogle ; Sanquhar, George Irving ; Cullen, John Philp ; Elgin, William Forbes ; Irving, John Din.

Address to his
Majesty.

1. The committee appointed to draw up a congratulatory address to his Majesty presented the draught thereof, which being read the committee approve thereof and appoint the preses to sign the same in their name and to transmitt the same to the representative of the burgh of Edinburgh to be by him and the other representatives of burrows presented to his Majesty, and of which address the tenor follows :—

To the Kings most excellent Majesty : The humble address of the annual committee of the convention of the royal burrows of Scotland. May it please your Majesty,—Wee, the annual committee of the convention

of the royal burrows of your Majesties ancient kingdom of Scotland, doe most humbly beg leave to share in the universal joy of the nation on account of the marriage of the Princes Royal with his serene highness the Prince of Orange. An alliance with a prince of the illustrious house of Nasaw, so mostly famed for great men who have been the asserters of publick liberty and the eminent supporters of the protestant interest of Europ, adds a strength to the glorious cause of liberty and religion that cannot fail to give the greatest satisfaction to these nations who in a great measure ow the many blessings wee now enjoy under the mild government of so good and generous a sovereign to our deliverer from popery and slavery by a prince of that illustrious house, William the 3rd, of glorious and immortal memory.

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May it please your Majesty,—As wee have the honour to represent the tradeing part of this nation, wee humbly beg leave to embrace this opportunity to express our greatest thankfulness for your Majesties royal care and favours bestowed on this part of your united kingdom. The good effects of the application of the publick funds destined for the encouragement of our nationall fisherys and manufactures by your majesties direction are universally and sensibly felt. These improvements owe their rise to one of the earliest acts of your Majesties happy administration, and their success is intirely owing to the continuence of your royall countenance and protection in being most graciously pleased to direct from time to time the propper methods for the furdur improvement and extention of these great national benefits which so evidently appear to be the peculiar objects of your Majesties royal care.

May your subjects on all occasions express their gratitude and sense of the manifold blessings wee enjoy under the present happy administration, by their loyalty zeall and affection for your majestys person and government, may your reign be long and prosperouse, and may there never be wanting one of your royal family to sway the sceptre over us to latest posterity. This is the most sincere and hearty prayer of, may it please your majesty, your majesties most loyal most faithfull and dutifull subjects and servants, the annual committee of the royal burrows of Scotland. Edinburgh, 9th April 1734. Sign'd in their presence and by their appointment. P. Lindsay, preses.

EDINBURGH.
30 April 1734.
Sederunt.

30 April 1734.

Patrick Lindsay, lord provost of Edinburgh, preses; Edinburgh, John Cochran; Irving, John Din; Elgin, William Forbes; Fortrose, Mr William Forbes; Whithorn, Hugh Hathorn.

Act of parliament regulating elections.

The committee considering that the writs for electing of members to serve for the burrows in parliament are issued out and that the burrows have not yet had access to see the late act of parliament regulating the elections in Scotland, therefor to prevent any mistakes in the elections the committee appoint their agent to transmitt a copy of the said act to each royal burrow by the post without loss of time.

GENERAL CONVENTION *held at* EDINBURGH.

EDINBURGH.
2 July 1734.
Sederunt.

Edinburgh, James Simpson and John M'Gill; Perth, Patrick Cree; Dundee, James Fairweather; Aberdeen, William Cruikshank; Stirling, John Gib; Linlithgow, Mr James Glen; St Andrews, William Douglas; Glasgow, Hugh Rodger; Air, Thomas Garvine; Haddington, John Herriot; Dysert, Thomas Spence; Kirkaldie, George Higgle; Montrose, John Coutts; Coupar, Alexander Melvill; Anstruther Easter, Sir John Anstruther; Dumfreise, James Corrie; Inverness, John Forbes; Bruntisland, John Hogg; Innerkeithing, Henry Cunningham; Kinghorn, William Wardlaw; Brechin, David Doig; Irving, William M'Taggart; Kirkudbright, David Tailfer; Wigtoun, Patrick M'Kie; Pittenweem, Robert Clelland; Dumfermling, John Lindsay; Anstruther Wester, Mr Philip Anstruther; Selkirk, Thomas Elliot; Dumbarton, Mr James Smollet; Ranfrew, John Somervell; Dumbar, James Fall; Lanerk, John Ballentyne; Aberbrothock, John Wallace; Elgin, William Forbes; Peebles, Francis Gibson; Craill, John Lumsdean; Tayne, George master of Ross; Culross, John Ronald; Banff, Alexander Innes; Whithorn, William Agnew; Forfar, Alexander Binning; Rothesay, Guyn Vaughan; Nairne, John Orr; Forress, Duncan Urquhart; Rutherglen, David Scott; North Berwick, Sir Robert Dalrymple; Cullen, Alexander Baird; Lauder, John Moffat; Kilrenny, Andrew Waddell; Annan, Bryce Blair; Lochmabine, Mr Charles Erskin; Sanquhar, George Irving; New Gallaway, William Veitch; Dingwall, Sir Robert Monro; Dornoch, Mr John Baillie; Queensferry, Archibald Stewart; Fortrose, John Davidson; Kintore, Robert Bruce; Inverury, George Scott; Inverary, Archibald Campbell; Inverbervie, Mr Charles Maitland; Stranraer, Mr Hugh Dalrymple; (four burrows *blank*).

2 July 1734.

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2 July 1734.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses. Preses.
2. Appointed a committee to revise the commissions. Committee to revise commissions.
3. There was presented a report made to his Majesty by the commissioners and trustees for improving the fisheries and manufactures for the year ending Christmas last. Report by trustees for manufactures.
4. Approved of the commissions and recommended the burgh of Inverbervie "to cause procure a seal for the said burgh betwixt and the next general convention." Such of the commissioners and assessors who had not formerly qualified took the oaths of allegiance and abjuration and subscribed the same with the assurance. Commissions approved. Inverbervie seal.
5. There being commissions from each of the contending parties in Kinghorn, the convention sustained that in favor of William Wardlaw and his assessor. Commission, Kinghorn.
6. Rejected a commission from the burgh of Jedburgh in favor of John Ainsley, commissioner, and John Jerdin, dean of guild as his assessor. Jedburgh, commission rejected.
7. Approved of commissions from the burghs of Tayne and Annan. Commissions from Tayne and Annan.
8. Appointed the burgh of Edinburgh and fourteen other burghs "to wait upon his grace the Duke of Argyle and the right honorable the Earle of Islay, in name of the convention, and make their compliments to their lordships in the most respectfull manner." Respects to Argyle and Islay.
9. Remitted consideration of the annual missive to a committee. Annual missive.

3 July 1734.

10. Approved of commissions from Bruntisland, Anstruther Wester and Dingwall. Commissions approved.
11. Approved of report by the committee on the missive and continued certain articles to be heads of next missive. The convention also allowed to the burgh of Air £30 sterling "to enable them to apply to the parliament to get two pennies upon the pint of ale imposed upon the said burgh for defraying the charge of their publick work," and to the burgh of Anstruther Easter £25 sterling "to be applyed by them in repairing their peer and harbour." With regard to the article in the missive anent Dingwall the committee "were of opinion that the royal burrows are not in a condition to allow them any thing considerable for building the new tolbooth mentioned in the report but that so soon as the said burgh could fall upon any fund for setting about the said work the convention should allow them some assistance for finishing thereof." Missive, Ayr, Anstruther Easter, Dingwall.
12. Appointed the agent to pay to David Houstoun, tailor, the pension of £40 Scots ordered by last convention to be paid to Anna Scott, relict of Bryce Semple, "in regard he has expended her funeral charges to that extent." Relict of Bryce Sempell.
13. Approved of the whole proceedings of the annual committee. Annual committee's proceedings.

EDINBURGH.
3 July 1734.

Remem-
brancer and
usher in Ex-
chequer.

Agent's ac-
compts.

Weavers of
Glasgow.

14. Remitted to a committee to consider "a memoriall from the Kings remembrancer and the usher in exchequer."

15. Agent's accounts to lie on table for perusal of the members.

16. There was presented to the convention a representation for the weavers of Glasgow complaining of many incroachments made by the inhabitants of their suburbs upon the priviledges of the craftsmen in free burghs, and for making void contracts and agreements betwixt incorporations of craftsmen in free burghs and craftsmen in the suburbs thereof, and that at present there is a proces with that view depending before the lords at the instance of the weavers in Caldown and Blackfold and John Orr of Barrowfeild against the weavers of Glasgow which must affect the whole royal burrows, and craveing that the convention would appoint such a sum as they should think fitt for defraying the expence of the said proces which in its consequence must affect the whole craftsmen of royal burrows; which being considered by the convention they appoint their agent to concur with the weavers of Glasgow in their said proces and to lay out a sum not exceeding twenty pounds sterling in defending thereof in case the same shall be necessary.

4 July 1734.

Rothesay's
commission.

The remem-
brancer's
memoriall
rejected.

Tax roll.

Unfree trade,
Rothesay.

Powers of
annual com-
mittee.

Agent's ac-
counts.

Lymekilns
against Torie
and Toriburn.
Anent adjudi-
cations.

Fortrose.

17. Approved of commission from the burgh of Rothesay.

18. The committee appointed by the 14th act reported that they were of opinion that the convention ought not to take the burden of the payment of fees payable by particular burghs at fitting their eques, of which report the convention approved.

19. Continued the tax roll as it stands for one year.

20. Continued the assignations formerly granted anent unfree trade till July 1735, Rothesay being relieved of 1s. in the tax roll as formerly.

21. Remitted to a committee to consider and report on the powers given to the annual committee.

22. Appointed a committee to consider the agent's accounts and the state of the staple.

23. Appointed the agent to concur with Lymekilns in prosecuting unfree traders in Torie and Toryburn for relief of six pennies in the tax roll.

24. Remitted to the annual committee "overture for makeing application to the parliament for ane act impowering the magistrats of burrows to adjudge tenements holding burgage encumbered with debts, at least to adjudge such as doe not exceed fifty pund sterling of intrinsick value."

25. Approved of commission from the burgh of Fortrose.

26. The committee appointed to consider the powers proper to be given to the annual committee reported that they were of opinion that powers should be given to them to proceed in, consider and determine, upon all and every particular that has been or shall be remitted to them by the general convention and upon every thing tending to the benefit of trade and of the state of the burrows and upon all differences that has arisen or may arise in burrows and between burrows and upon every thing touching the staple port and due observance thereof, and upon every thing touching unfree traders and the communication of trade, and their quorum to be fyve, Edinburgh being always one, in every matter except in such matters as shall require any application to parliament wherein nine are to be a quorum; and furdur that the annual committee should be instructed and directed to correspond with the burrows representatives in parliament from time to time upon every matter that may be depending in parliament concerning trade and the state of burrows and that notice of the particulars of such correspondance be given to the several burrows by the committee soe as that the burrows may write in that behalf to their respective representatives; likeways that in all matters whereto application to the parliament shall be by the annual committee thought necessary all the members of the committee, by a circular letter, shall have notice of the particulars thereof to attend and assist in forming and concerting such applications if the nature of the thing can admitt of so much delay; but the annual committee in no case to have power to dispose of any of the burrows common money except where they have special authority for that purpose. Which being considered by the convention they approve of the committees report.

EDINBURGH.
4 July 1734.
Powers of the
annual com-
mittee ap-
provin.

27. The committee on the agent's accounts reported (1) that his intromissions with unfree trade since July last, including balance of £4733, 16s. 2½d., amounted to £6250, 15s. 3½d., and the payments to £1197, 13s. 4d., leaving in his hands £5053, 1s. 11½d. Scots; and (2) that on the account for missive dues he charges himself with £8000 of missive dues, and that the charge including debt due by Smollet amounts to £10,380, 11s. 10d.; the payments amount to £11,544, 2s. 6d., leaving due to the agent £1163, 10s. 8d. Scots.

Agent's ac-
counts.

28. Appointed the agent to pay the conservator £17, 6s. 5d. sterling, being sum in which the fees fall short of the sum intended to be given for supporting a depute.

Conservator.

29. Ratified a charter granted by the burgh of Coupar to William Gregory, merchant in Coupar, of nine acres of the common muir.

Charter
granted by
Coupar ap-
proven.

EDINBURGH.
4 July 1734.
Linnen manu-
factory.

30. The convention having heard a memorial anent the grievances affecting the linen manufacture in Scotland, recommend each of the burghs and the annual committee to write the members of parliament "to endeavour to procure the encouragements mentioned in the said memorial."

5 July 1734.

Spanish wine.

31. Remitted to the annual committee petition from importers of wines complaining of an overcharge of duty on Spanish wine.

James Dunbar,
soapmaker.

32. Having heard petition for James Dunbar, soapmaker in Dalkeith, the trustees for improving manufactures were recommended to give him some encouragement.

Agent to pay
supplies.

33. Having received petitions from the persons afternamed the convention granted "the sums following of supply," viz., James Charles, late dean of guild of Elgin, £6; John Clerk, late bailie of Coupar, £6; Robert Finnie, late provost of Renfrew, £4; Alexander Thain, late bailie of Inverurie, £1; all sterling money.

Annual com-
mittee ap-
pointed.

34. Appointed the annual committee, with the powers mentioned in the 26th act of this convention.

Salaries and
gratuities.

35. Appointed the agent to pay certain salaries and gratuities.

Convention
dissolved.

36. Dissolved the present convention and appointed the next to be held at Edinburgh on the first Tuesday of July 1735.

MEETINGS OF ANNUAL COMMITTEE *held at* EDINBURGH.

9 July 1734.

EDINBURGH
9 July 1734.
Sederunt.

Edinburgh, James Simpson and William Keir; Stirling, John Gib; Linlithgow, Mr James Glen; St Andrews, William Douglas; Glasgow, Hugh Rodger; Air, Thomas Garvine; Anstruther Easter, Sir John Anstruther; Inverkeithing, John Cant; Dumbarton, Mr James Smollet; Peebles, Francis Gibson; Sanquhar, George Irving.

Preses.

Patrick Lindsay, lord provost of Edinburgh, elected preses.

Linnen manu-
factory,
Spanish wine.

1. Remitted to a subcommittee the memorial from the magistrates of Glasgow and petition by wine importers mentioned in the 30th and 31st acts of the foregoing convention.

Syze fish.

2. Remitted to the same subcommittee petition by Anstruther Easter "complaining of the heavy burden of size fish or size money exacted on herring boats in the Firth of Forth."

3. The conservator "acquainted the committee that he intended to goe to EDINBURGH.
Campvere concerning the affairs of the staple and would willingly receive the 9 July 1734.
committees commands if they had any to lay upon him." Conservator.

4. Appointed a subcommittee to wait on the Earl of Ilay and receive his Petition for a
lordship's directions with regard to a petition on behalf of "a shipmaster in Borness ship-
Boness and his crew who were taken by a Salee Rover and are now at Algeirs master.
in a miserable condition."

18 March 1735.

Edinburgh, James Simpson, dean of gild, preses; Bruntisland, Archibald Sederunt.
M'Aulay; Tayne, George, master of Ross; Dunbarton, Mr James Smollet;
Rothesay, Guyan Vaughan; Sanquhar, George Irving.

1. The instructions of the agent's payments in 1731 were opened to permit Agent's in-
inspection of a voucher in connection with an action in the sheriff court and structions
thereafter resealed. opened.

2. The conservator acquainted the committee that Alexander Carstairs, his Charles
depute, having died, he had appointed Charles Stewart, now factor at Camphere, Stewart ap-
as his successor, the demission of whose factorship the committee accepted. pointed depute
conservator.

30 June 1735.

Edinburgh, James Simpson and William Keir; Glasgow, Andrew Ramsay; Sederunt.
Dumfreise, James Corrie; Sanquhar, George Irving; Inverary, Ronald Dumbar.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses. Preses.

2. Authorized the agent to pay to the weavers of Glasgow, who had Weavers of
expended nearly £60 sterling on the faith of the 16th act of last general conven- Glasgow.
tion, the sum of £20 allowed by that act.

GENERAL CONVENTION *held at* EDINBURGH.

Edinburgh, James Simpson and William Keir; Pearth, Patrick Crie; EDINBURGH.
Dundee, Patrick Maxwell; Aberdeen, Hugh Hay; Stirling, John Gib; Lin- 1 July 1735.
lithgow, Mr James Glen; St Andrews, William Douglas; Glasgow, Andrew Sederunt.
Ramsay; Ayr, James Montgomery; Dysert, David Reddie; Kirkaldie, Alex-
ander Williamson; Montrose, David Skinner; Coupar, Mr James Leslie;
Anstruther Easter, Sir John Anstruther; Dumfreise, James Corrie; Inverness,
Mr Duncan Forbes; Bruntisland, John Hogg; Innerkeithing, John Cant;
Kinghorn, Robert Hamilton; Brechine, John Knox; Irving, William M'Taggart;
Jedburgh, Mr John Jerdin; Kirkcudbright, Mr Thomas Merry; Wigtoun,
Patrick M'Kie; Dumferling, Adam Rolland; Anstruther Wester, Thomas

EDINBURGH.
1 July 1735.
Sederunt.

Oliphant; Selkirk, Thomas Elliot; Dumbarton, Mr James Smollet; Ranfrew, William Somervell; Dumbar, James Fall; Lanerk, John Russell; Aberbrothock, John Wallace; Elgine, William Forbes; Peebles, Francis Gibson; Craill, John Lumsdean; Taine, George master of Ross; Culross, John Rolland; Banf, Patrick Forbes; Forfar, Alexander Binning; Forress, Mr James Urquhart; Ruglen, David Scott; North Berwick, Hugh Dalrymple; Cullen, John Philp; Lauder, John Moffet; Kilrenny, John Waddell; Annan, John Johnstoun; Lochmabin, Joseph Bryden; Sanquhar, John Crichton; Dingwall, Sir Robert Monro; Dornock, Mr John Baillie, Queensferry, Archibald Stewart; Kintore, Mr Robert Bruce; Inverurie, James Catto; Kirkwall, Thomas Jamison; Inverbervie, Mr Charles Maitland; (ten burrows *blank*).

1 July 1735.

Preses.
Committee to
revise com-
missions.
Kilrenny.
Commissions
approved.
Commissions
approved
except as to
assessors.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses.
2. Appointed a committee to revise the commissions.

Et die, post meredien.

3. Approved of commission from the burgh of Kilrenny.
4. Approved of certain commissions in terms of committee's report.
5. Approved of the commissions of Stirling, Wigtoun, Dumfermling, Aberbrothock, Tain, Forres and Annan as regards the principals, but as "the commissions doe not bear that their assessors are qualified in the terms of the platform, except as to the burgh of Stirling which, tho' the commission bears the qualification of the assessor, yet it having been objected that the said assessor is not really qualified in the terms of the platform by being proprietor of lands holding burgage within the said burgh to the value of three thousand merks" the convention resolved not to admit the assessors "untill they depone in the terms of the platform."

Commissions
approved and
others rejected.
Haddingtoun,
two commis-
sions.
Missive.
Arrears of
missive dues.

- 6-8. Approved of certain commissions and rejected others till those appointed should make oath of their qualifications.
9. Remitted to the committee to examine and report on two commissions from the burgh of Haddington.
10. Remitted the general missive to a committee.
11. Appointed the agent to submit a list of arrears of missive dues.

2 July 1735.

Anstruther
Wester.
Articles of
missive con-
tinued.

12. Approved of a commission from Anstruther Wester.
13. Continued certain articles of the missive to be heads of next one. It was also recommended that the burghs should send up lists of unfree traders in their districts and that the agent should prosecute them.

14. Appointed a committee to alter and proportion the tax roll.

15. Remitted to a committee memorial from traders and craftsmen in several royal burghs complaining of encroachments on their rights and privileges by unfreemen living in the neighbourhood.

16. The agent presented his accounts which were ordered to lie on the table.

EDINBURGH.

2 July 1735.

Tax roll.

Encroachments

on traders'

privileges.

Agent's ac-

counts.

3 July 1735.

17. The convention, upon considering a memorial presented in behalf of the traders and craftsmen of the royal burrows touching incroachments made by unfreemen upon their just rights and priviledges, and upon considering of the incroachments made by unfreemen upon the just rights and priviledges belonging to the freemen merchants of the royal burrows, and of the losses that have arisen or may arise to the state of burrows from the burghs of regality and barrony and others their not being subjected to and not answering and paying their just proportions of ten pound of the tax roll chargeable on them for the burrows releif of the land tax for a communication of trade as the laws made on that behalf doe direct, did and doe hereby authorise and empower their annual committee to endeavour by all lawful means to obtain redress in all the particulars hereinbefore mentioned, and that either by propper processes at courts of law, or by appealls to the most honourable the house of peers, or by applying to the king and parliament for a new law in that behalf, or by such other ways and means as to the said committee shall seem meet.

Act anent

traders and

craftsmen,

encroachments

on privileges.

18. Remitted to a committee report of the commissioners and trustees for improving fisheries and manufactures for year ending at Christmas last.

Trustees, &c.,

for manufac-

tures.

19. The convention considering that by the votes of the honourable house of commons bearing date the 2nd and 7th days of May last several resolutions are entered into touching the mentaining and imploying the poor, whereupon a bill is to be brought in next session of parliament which may comprehend Scotland, and as this matter is of great consequence to the nation in general and to the royal burrows in particular therefor they did and hereby doe recommend to the several members to converse with their constituents and with the justices of peace in their neighbourhood upon what alterations of the laws made concerning the

Act anent the

poor.

EDINBURGH.
3 July 1735.
Act anent the
poor.

poor and upon what furdur regulations in that behalf will be necessary and usefull, and to transmitt their oppinion thereon to the annual committee who shall be appointed to sit after the dissolving of this convention who are hereby impowered and authorized to examin such oppinions as shall be to them transmitted as aforsaid and to inform the burrows representatives in parliament thereof and of what else shall appear to the committee to be usefull in that particular and to use all proper means to promote such a bill. Likeways did appoint that ane abstract of the laws concerning the poor be made out, printed and transmitted to the several burrows, and furdur doe appoint thir presents to be printed and coppys thereof to be delivered to the members.

Agent's ac-
countts.

20. Appointed a committee to consider and report on the agent's accounts.

Anent her-
rings.

21. Appointed a committee "to meet with the commissioners of customs in order to have redress in relation to the timely shipping of herrings taken near the Lews and designed for the Baltic."

Baxters of
Edinburgh
against a
burgess.

22. The convention "considering that in a case depending before the court of session between the corporation of baxters and a burgess of the city of Edinburgh it is found that any [one] as a burgess, tho he had never born office in the councill can challenge any act or deed of administration which may be attended with bad consequences to the whole royall burrows," they remitted to the annual committee to do what is necessary to obtain redress.

Committee to
endeavour to
procure ane
act to bury in
linnen.

23. The commissioner for the burgh of Pearth represented that the law made for burying in woollen is a great discouragement to the linnen manufactory which is the staple commodity of this country and that if ane act of parliament could be obtained for burying in linnen in this part of the United Kingdom it would much contribut to the consumpt of that commodity; which being considered by the convention they remitt to the annual committee to lay this matter before the representatives of the burrows in parliament and to endeavour to procure the said act if it can be obtained.

Agent's ac-
counts of mis-
sive dues.

24. The committee on the agent's accounts reported that he charged himself with £8000 Scots of missive dues and £2478, 3s. 10d., as principal and interest due by Smollet. His discharge, including the last mentioned sum and £1163, 10s. 8d., due him on last account, amounted to £10,988, 18s. 4d., so that there is a balance due to the agent of £510, 14s. 6d. Scots.

25. The committee reported on the agent's accounts for unfree trade that his charge, inclusive of last year's balance of £5053, 1s. 11½d., amounted to £6023, 4s. 6¾d. Scots, and that his payments amounted to £2050, 18s. 4d. Scots, leaving a balance due by the agent of £3972, 6s. 2¾d. Scots.

EDINBURGH.

3 July 1735.

Agent's accounts of unfree trade.

26. As the conservator had not yet received a list of his fees the convention instructed the agent to pay him £17, 6s. 5d. as was done last year, leaving the precise sum to be adjusted afterwards.

Conservator, £17, 6s. 5d.

27. The convention upon report of the committee appointed to consider the proceedings of the trustees for manufactures having taken into their consideration that an immunity to the owners of publick bleechfields from payment of duties charged on the materials used in whitening of linnen would tend much to the improvement of that manufacture, and that for obtaining thereof and for obtaining several furdur rules and regulations touching that branch of trade a bill is intended to be brought in next session of parliament, and therefor that it is the interest of the burrows to doe what in them lyes to promote the same, and that it is necessary for the members to inform themselves of such furdur regulations or alterations as may be usefull and transmitt the same to the [annual committee for consideration who are impowered to communicate with the burrows representatives in parliament and use their utmost endeavours to forward such a bill and promote said manufactory]. And farder do appoint the agent to provyde and deliver to every member a copy of the pamphlet intituled Reasons for encouraging the improvment of the linen manufactory in Scotland.

Bill concerning materials used in bleechfields.

28. Appointed the agent to concur with Limekilns in prosecuting unfree traders in Torie and Toriburn.

Limekilns, Torie and Torieburn.

29. Approved of the whole proceedings of the annual committee.

Annual committee.

5 July 1735.

30. Remitted to the annual committee to concur with North Berwick in an application to the commissioners of customs to obtain that burgh disjoined from the custom house at Prestonpans and added to that of Dumbar.

North Berwick.

31. On petition from the burgh of Wigtown the convention, considering that no ease in the tax roll had been granted to it and that Whithorn has had the benefit of the unfree trade in the parishes of Pinningham and Kirkowan for several years, resumed the benefit of said unfree trade from Whithorn and granted the same to Wigtown during the term that shall be fixed for the tax roll.

Wigtown, unfree trade of Penningham and Kirkowan.

EDINBURGH.
5 July 1735.

Whithorn.

Tax roll pro-
portioned.

32. Remitted to the burghs of Wigtown, Air, Dumfreise and New Galloway, to visit and report on the condition of Whithorn, its pier and harbour; and in the meantime allowed the burgh £5 sterling towards repair of the harbour.

33. Approved of report by a committee and appointed the tax roll to be proportioned as follows, and the same to be the rule of payment of the cess and missive dues for two years till July 1737.

Burgh.	Proportions of £100.	Proportions of £2.*	Burgh.	Proportions of £100.	Proportions of £2.*
Edinburgh .	£34 10 0	...	Culross .	0 2 0	1 1 3
Pearth .	3 8 0	...	Banf .	0 7 0	15 11 8
Dundee .	4 18 0	31 17 6	Whithorn .	0 2 0	...
Aberdeen .	5 18 0	...	Forfar .	0 4 0	2 2 6
Stirling .	1 16 0	9 18 4	Rothsay .	0 2 0	1 8 4
Linlithgow .	1 2 0	8 2 11	Nairn .	0 3 0	1 1 3
St Andrews .	0 7 0	2 9 7	Forres .	0 8 0	2 9 7
Glasgow .	18 10 0	...	Rutherglen .	0 4 0	1 15 5
Air .	0 15 0	6 7 6	North Berwick	0 1 0	0 7 1
Haddington .	1 5 0	8 10 0	Cullen .	0 2 0	0 14 2
Dysert .	0 2 0	1 1 3	Lauder .	0 9 0	1 15 5
Kirkaldie .	0 18 0	9 4 2	Kilrenny .	0 2 0	0 14 2
Montrose .	2 12 0	20 10 10	Annan .	0 2 0	0 14 2
Coupar .	0 10 0	3 10 10	Lochmabin .	0 1 0	0 7 1
Anstruther Easter	0 5 0	1 15 5	Sanquhar .	0 1 0	0 7 1
Dumfreise .	2 0 0	...	New Galloway	0 1 0	0 7 1
Invernesse .	1 11 0	...	Dingwall .	0 2 0	0 14 2
Bruntisland .	0 4 0	2 2 6	Dornock .	0 3 0	5 12 3
Innerkeithing.	0 5 0	1 15 5	Queensferry .	0 4 0	2 2 6
Kinghorn .	0 13 0	2 9 7	Fortrose .	0 2 0	2 2 6
Brechin .	0 11 0	3 3 9	Kintore .	0 1 0	0 7 1
Irving .	0 18 0	8 10 0	Inverurie .	0 1 0	0 7 1
Jedburgh .	0 16 0	6 0 5	Inverary .	0 1 0	0 7 1
Kirkubright .	0 9 0	...	Wick .	0 2 0	1 1 3
Wigtown .	0 5 0	2 2 6	Kirkwall .	0 12 0	13 17 4
Pittenweem .	0 5 0	...	Inverbervie .	0 1 0	0 7 1
Dumfermling .	1 0 0	6 0 5	Stranraer .	0 4 0	...
Anstruther Wester	0 1 0	0 7 1	Campbeltoun .	0 2 0	0 14 2
Selkirk .	0 9 0	3 10 10			
Dumbarton .	0 6 0	2 2 6	Sum .	93 18 0	
Ranfrew .	0 5 0	2 2 6	Agent for unfree		
Dumbar .	0 10 0	2 16 8	trade .	4 2 0	12 12 6
Lanerk .	0 10 0	4 5 0	The burrows men-		
Aberbrothcck .	0 10 0	3 10 10	tioned on the		
Elgin .	0 15 0	7 1 8	other syde .	2 0 0	...
Peebles .	0 8 0	3 3 9			
Craill .	0 4 0	2 16 8	Total, £100	0 0 £240	0 0
Tain .	0 3 0	1 8 4			

* In this column are inserted "the sums which the underwritten burrows are to pay for each moneths cess payable by the royal burrows on account of the two pound of the tax roll mentioned in the other side."

34. The convention appoints their agent to pay to Doctor Patrick Forbes fifty pounds sterling for his encouragement in the work he intends to publish entitled—A full View of the Publick Transactions in the Reign of Queen Elizabeth. EDINBURGH, 5 July 1735. — Doctor Patrick Forbes's publication.

35. Having heard petition from the burgh of Dingwall, “and it being represented that the work of building their prison was far advanced by private contributions” the convention allowed £20 sterling “to enable them to finish the work.” Dingwall.

36. Appointed a committee to visit and report on the condition of the burgh of Kintore, “and the convention declare that so soon as their prison is well advanced in the building they will allow them some assistance to finish the work.” Kintore.

37. The convention having heard a petition from the governors of the Merchant Maiden Hospital of Edinburgh, superiors of the town of Peterhead, for themselves and in name and behalf of the inhabitant of the said town, they do earnestly recommend to all the burrows of Scotland to contribute their assistance toward repairing the harbour of Peterhead by collecting voluntary contributions within their several burghs in such manner as the magistrats shall think proper. Recommendation for a voluntary contribution for Peterhead.

38. Appointed a committee to visit and report on the condition of the burgh of Kilrenny. Kilrenny.

39. Appointed the agent to pay James Dunbar £5 sterling “for his encouragement to make soap and potashes.” Soap and potashes.

40. Remitted to the annual committee petition from William Murray of Touchadam anent the sum charged on him for the communication of trade. Touchadam's petition.

41. The convention appoints their agent to pay to Robert Selkirk, merchant, and one of the tellers in the Royal Bank, the sum of five pound sterling for his loss and trouble in giving out the copper half pennys, and remit to the annual committee to procure such a quantity of half pennies and farthings as they shall think proper. Half pennys and farthings.

42, 43. Appointed a committee to visit and report on the condition of the burghs of Culross and Kinghorn and their harbours. Culross, Kinghorn.

44. On petitions from the following persons the convention granted to Robert Finnie, late provost of Ranfrew, £4 sterling, and to David Younge, merchant and late bailie of Brechin, £4 sterling. Gratuities.

EDINBURGH.
5 July 1735.

Salaries and
gratuities.

Annual com-
mittee.

Convention
dissolved.

45. Appointed the agent to pay certain salaries and gratuities.
46. Appointed the annual committee.
47. Dissolved the present convention and appointed the next to be held at Edinburgh on the first Tuesday of July 1736.

MEETINGS OF ANNUAL COMMITTEE *held at* EDINBURGH.

9 July 1735.

EDINBURGH.
9 July 1735.

Sederunt.

Edinburgh, James Simpson ; Glasgow, Andrew Ramsay ; Dysart, George Irving ; Kirkaldie, Alexander Williamson ; Innerkeithing, John Cant ; Dumbarton, Mr James Smollet ; Elgine, William Forbes ; Peebles, Francis Gibson ; Forfar, Alexander Binning ; Forres, Mr James Urquhart ; Dornock, Mr John Baillie.

Preses.

1. Patrick Lindsay, lord provost of Edinburgh, elected preses.

Conservator.

2. Referring to the 26th act of last convention the agent was instructed to pay the conservator £9, 0s. 7d. as the balance of £26, 7s., being the sum in which the fees for last year fell short of £50.

North Ber-
wick customs.

3. Under the remit contained in the 30th act of last convention the sub-committee was instructed "to meet with the commissioners of the customs and use their endeavours to obtain the said alteration."

Act anent
copper half
pennys.

4. Under the remit contained in the 41st act "concerning the copper half pennies and farthings, they remitt to the lord provost and dean of gild of Edinburgh to commune with the directors of the New Bank thereanent and report."

Act anent
Touchadam.

5. Having considered petition for William Murray of Touchadam craving to be eased of 3s. 1d. Scots monthly, being his proportion of the £12, 12s. monthly laid on the burghs of barrony and regality and to be charged only 6d. in the tax roll, the committee granted the request for the reasons stated in the petition.

2 December 1735.

Sederunt.

Edinburgh, James Simpson and William Keir ; St Andrews, William Forbes ; Air, Andrew Huntar ; Dysert, George Irving ; Elgin, William Forbes ; Cullen, John Philp ; Dornock, Mr John Baillie.

Preses.

1. Alexander Wilson, lord provost of Edinburgh, elected preses.

Dornock.

2. Ordered that the agent prosecute certain unfree traders contained in a list delivered by the commissioner of Dornock.

3. The committee considering that by the nineteenth act of the last general convention abstracts of the laws for mentaining and imploying the poor are to be made out and printed and coppys thereof delivered to the members of parliament to inform them in case that a new bill be brought in next session of parliament, ordered that the same be done and that the agent cause print and deliver the same.

EDINBURGH.
2 December
1735.

Agent to print
abstracts con-
cerning the
poor.

4. The committee having had under their consideration that by the twenty seventh act of the last general convention directions are given to promote a bill in parliament for takeing off the dutys on materialls used in whitening of linnen in the publick bleech feilds and what else may conduce thereto and wherein money thereto necessary is to be expended by the agent at the sight and by the direction of the annual committee, and likeways considering that it is thereto necessary that some of the finest table linnen as a sample of the Scots manufacture ought to be shown above that the members of parliament may see what progress is therein made, that thereby the usefullness thereof to the kingdom may appear, did therefor recommend to David Flint, secretary to the trustees and commissioners for improvement of the manufactures, timeously to provid such a quantity of the best table linnen as is necessary to be sent up, and to enable him to doe the same did appoint the agent to advance to him a sum not exceeding fifty pounds sterling.

Act anent the
bleechfeilds.

5. Having considered a complaint from the magistrates and merchant council of Dumfries stating that at last election certain objections were moved by "John M'Ghie, writter in Dumfreise, pretended conveener of the trades, for himself and in behalf of the other deacons, against the choise of two merchant councillors therein named; likeways that a bill of suspension had been offered against the forsaid choise which was most justly refused;" that M'Ghie and the other deacons have refused to submit the dispute to the committee as required by the act of convention passed in 1706 and had brought a process of reduction and declarator before the court of session,—the committee directed that M'Ghie for himself and the other deacons should be required to show on 19th inst. cause why the convention should not concur with and aid the complainers in the proceedings which had been raised.

Complaint,
the magistrates
against con-
veener of trades,
Dumfreise.

6. A petition by Mr William Hog and several others in behalf of themselves and other merchants tradeing to Petersburg was read, setting forth certain incroachments and acts of oppression done and intended to

Order to con-
sult the
advocat and
solicitor.

EDINBURGH.
2 December
1735.

Order to con-
sult the
advocat and
solicitor.

be done to traders in this country to Petersburg by the English Russia Company and their agents, and praying that the royal burrows may give such directions concerning the same as to them should appear meet, ordered that the agent advise the lord advocat and solicitor on the matters contain'd in the said petition and have their oppinion signed thereupon, to be laid before them at their next meeting.

16 December 1735.

Sederunt.

Alexander Wilson, lord provost of Edinburgh, preses; Edinburgh, James Simpson; Dysert, George Irving; Dumbarton, Archibald M'Aulay; Dumber, James Fall; Elgin, William Forbes.

Committee to
consider the
list of fees.

The committee having considered a remitt by a committee of the lords commissioners who were appointed to enquire into fees and offices in Scotland, whereby it is recommended to this committee to examin the lists of the fees given in by the clerks of the several royal burrows and to consider how far they are conform to law and how far the fees presently exacted (tho' not warranted by proper authority) are in themselves reasonable and proportioned to the labour of the officers and condition of the burgh, resolved that this committee will upon the twelveth of January next proceed to the examination of the forsaid lists according to the afsaid remit and ordered the agent to signify the same by a circular letter to the whole members of this committee and to desire their attendance and assistance, as also to signify the same by ane other circular letter to all the burrows that are not of this committee and to desire them to lay before the committee what may occur to them concerning the same.

19 December 1735.

Sederunt.

Edinburgh, James Simpson, dean of gild; St Andrews, William Douglas; Glasgow, Andrew Ramsay; Dysert, George Irving; Bruntisland, John Hog; Dumbarton, Mr James Smollet; Elgine, William Forbes; Cullen, John Philp; Lochmaben, Mr Charles Erskin; Dornock, Mr John Baillie.

Preses.

Merchant
councill of
Dumfreise
against trades.

1. James Simpson, late dean of guild of Edinburgh, elected preses.
2. With reference to the 5th act of the committee dated 2nd December, John M'Kie, deacon convener of the trades of Dumfreis, appeared and gave in answers to the complaint with a counter petition, but having declined to submit

the matters in controversie as required by the act of convention 1706, the com- EDINBURGH.
mittee instructed the agent to concurr in the usual manner with the magistrates 19 December
and merchant council of Dumfreis against the convener and trades thereof. 1735.

12 January 1736.

Edinburgh, James Simpson; Air, Andrew Hunter; Dysert, George Irving; Sederunt.
Dunbarton, Mr James Smollet; Tain, George master of Ross; Cullen, John
Philp.

1. Alexander Wilson, lord provost of Edinburgh, elected preses. Preses.
2. Remitted to a committee to consider the tables or lists of fees sent up by Table of fees.
the several royal burghs and to report their opinion thereon against 2nd February
next. Burghs who had not sent lists to be reminded.

10 March 1736.

Edinburgh, James Simpson and William Keir; Dysert, George Irving; Sederunt.
Dumbarton, Archibald M'Aulay; Cullen, John Philp; Tain, George master of
Ross; Elgin, William Forbes, jun.

1. Alexander Wilson, lord provost of Edinburgh, elected preses. Preses.
2. It was represented by the agent that Patrick Lindsay, esq., Bills in parlia
representative in parliament for the city of Edinburgh, has transmitted a ment.
copy of the bill intended for takeing off the dutys on soap and ashes
and other materials used in whitning linnen in the publick bleech fields,
also that for bringing in this bill necessary it is the reasons for it be
opened to the house and then to move that the commissioners of customs
and excise severally doe lay before the house ane account of these dutys,
and when these are laid on the table to move the house to resolve itself
into a committee to consider these dutys on a day certain, and when that
order of the day shall be called for to move that these accompts be
referred to that committee, and in the committee a motion is to be made
for proper resolutions and ane oppinion to move the house that leave be
given to bring in the bill.

That as these forms doe require some time, and that this session of
parliament is now pretty far advanced, and that there are now depending
several petitions from the cloathing countys in the west of England for
taking off the duty on olive oyle, and that there are several other matters

EDINBURGH.
10 March 1736.
Bills in parlia-
ment.

depending which may make this ane unfavourable opportunity for bringing in the forsaid bill in favour of the bleech feilds, wherefor it is still uncertain whether it is expedient to attempt it this session or not.

That Provost Lindsay has also transmitted a copy of the bill for explaining the Calligoe act, with the case of the manufacturers of cotton wool and the case of the silk and worset manufacturers, together with a copy of ane accompt showing the amount of linnen imported from forreign parts in *anno* 1728 and in *anno* 1734, with ane computation of the amount of cambricks imported and ane accompt of the linnen exported; and it having been moved that a letter be write by the preses in behalf of the committee to Provost Lindsay acknowledging their thankfulness for his care and diligence in the aforsaid matters and to desire that the forsaid bill in favour of the bleech feilds be proceeded in this session only if it shall be thought expedient by him and the burrows other representatives, and that the agent be ordered to repay to Provost Lindsay such incident expence as has or may be by him laid out in the forsaid matters, the said motion was agreed to and the agent was ordered to conform thereto. Further it was resolved that the preses signify to Mr Lindsay it was with pleasure they doe observe the assistance given by him and their other representatives to forward the bill for explaining the Calligoe act, and that if the gin act should pass there should be desired an exception for the Scots aquavitæ, and that if there should be any new laws concerning the poor or concerning the assyze of bread ane extension thereof over Scotland should be desired.

30 March 1736.

Sederunt.

Edinburgh, James Simpson; Dumbarton, Archibald M'Aulay; Cullen, John Philp; Dysert, George Irving; Tain, George master of Ross; Elgin, William Forbes, junr.

Preses.

1. Alexander Wilson, lord provost of Edinburgh, elected preses.

Bills in parlia-
ment.

2. The committee having been informed that notwithstanding the great opposition which was made to the cotten and linnen bill it is past in both houses of parliament, and that his grace the duke of Argyle and the right honourable the earle of Ilay in a remarkable manner did thereto

contribut ; also that the Lord Ilay has been verry active to dispose the ministry to countenance the bleeching bill when it shall be expedient to bring it in ; did therefor resolve that the preses in the name and behalf of the committee write a letter to his grace of Argyle and ane other to the earle of Ilay acknowledging their thankfulness to these noble lords for these favours, in the most dutyfull and respectfull manner.

EDINBURGH.
30 March 1736.
Bills in parliament.

GENERAL CONVENTION *held at* EDINBURGH.

Edinburgh, Mr Thomas Heriot and James Sim ; Pearth, Patrick Cree ; Dundee, Patrick Maxwell ; Aberdeen, Hugh Hay ; Stirling, Mr James Erskin ; Linlithgow, Mr James Glen ; St Andrews, William Douglas ; Glasgow, Andrew Ramsay ; Ayr, James Montgomery ; Hadingtoun, Robert Forrest ; Dysert, David Reddie ; Kirkaldie, Robert Hay ; Montrose, Mr John Coutts ; Coupar, Mr James Leslie ; Dumfreise, James Corrie ; Inverness, Mr Duncan Forbes ; Bruntisland, John Hogg ; Innerkeithing, John Cant ; Kinghorn, Robert Hamilton ; Brechin, David Doig ; Irving, John Glasgow ; Jedburgh, Andrew Frame ; Wigtoun, John Smyth ; Dumfermling, Alexander Veitch ; Selkirk, William Chisholm ; Dumbarton, Mr James Smollet ; Ranfrew, John Paterson ; Dumbar, James Fall ; Lanerk, John Russell ; Elgin, William Forbes ; Peebles, John Ramage ; Craill, Mr John Lumsdean ; Tain, George master of Ross ; Culross, Thomas Cochran ; Banf, Alexander Innes ; Forress, William Forbes ; Ruthglen, David Scott ; North Berwick, Hugh Dalrymple ; Cullen, John Philp ; Lauder, John Moffet ; Kilrenny, Robert Waddell ; Annan, Brice Blair ; Lochmaben, John Robertson ; Sanquhar, John Crichton ; New Gallaway, John M'Courtie ; Dingwall, Sir Robert Munro ; Dornock, Mr John Baillie ; Queensferry, James Dalgleish ; Kintoir, Mr Robert Bruce ; Inverurie, George Scott ; Inverhervie, Mr Charles Maitland ; Stranraer, Mr Hugh Murray Kinninmont ; (fourteen burrows *blank*).

EDINBURGH.
6 July 1736.
Sederunt.

6 July 1736.

1. Alexander Wilson, lord provost of Edinburgh, elected preses.
2. Appointed a committee to revise the commissions.
3. Approved of the commissions in terms of the committee's report.
4. Remitted the general missive to a committee.
5. Approved of the whole proceedings of the annual committee.

Preses.
Commissions.
Commissions
approven.
Annual mis-
sive.
Proceedings of
annual com-
mittee.

7 July 1736.

EDINBURGH.
7 July 1736.
Articles of
missive.

6. Approved of the committee's report on the general missive and continued several heads till next year. Remitted reports concerning the burghs of Kintore, Kilrenny, Culross and Kinghorn to the committee on the agent's accounts, and the article anent fees of clerks of royal burghs to the annual committee.

Trustees for
manufactures.

7. The convention having considered a memorial from the trustees for improveing of fisherys and manufactures in Scotland craving a committee may be appointed to correspond with the said trustees upon the common concerns, they remit the same to the annual committee to correspond with them thereanent.

Fees of custom
house officers.

8. Remitted to a committee "petition from several merchants anent the fees demanded by the custom house officers."

Letter from
Campvere.

9. There was presented a letter from the burgo-master of the town of Campvere anent the staple contract, and the convention resolved that it should be prolonged for 21 years, and remitted to a committee "to bring in the draught of ane answer to the said letter and to search precedents."

Burrow officer.

10. Ordered a petition from James Moncurr to lie on the table till the last meeting.

Agent's ac-
counts.

11. Agent's accounts presented.

Report anent
staple con-
tract.

12. The committee appointed to search for precedents touching the manner in which the staple contract from time to time has heretofore been prolonged reported that having done the same they observed that it has been done by a commission granted to the conservator by a general convention and by a commission from the magistrats of Campvere to some of their own number for executing and interchanging articles in that behalf, and therefor that the same method ought to be followed in perfecting the intended prolongation, and are of oppinion that the convention should appoint some of their number to bring in the draught of a commission to the conservator to the effect before specified with the draught of ane answer to the letter from the magistrats of Campvere, and that it should be remitted to the [annual committee to give instructions to the committee for the proposed prolongation, of which the convention approved and resolved accordingly].

Agent's ac-
counts, fees at
staple port.

13. Remitted to a committee to consider the agent's accounts and conservator's fees and report.

14. Referring to the 17th act of last general convention, and that nothing has hitherto been expended under it, the convention remitted to the annual committee "to procure redress in these matters, and appoint their agent to advance such sums thereon as the committee shall direct, not exceeding the sum of fifty pound sterling."

EDINBURGH.
7 July 1736.
Incroachments
on rights of
free crafts.

15. Remitted to the annual committee to consider of proper schemes to be given in as a part of the bill depending in parliament for the maintenance and employment of the poor of this part of Great Britain.

Scheme for
employing the
poor.

8 July 1736.

16. Approved of the draught of a commission to the conservator authorising him to negotiate with the magistrates of Campvere for a prolongation of the staple contract for twenty-one years after its expiry on 25th December 1739.

Draught of a
commission to
the conser-
vator.

17. [Approved of the draught of a letter from the convention to the magistrats of Camp Vere in answer to theirs, of which letters the tenor follows :—]

Letter from
town of Camp-
vere and
answer.

Letter from the magistrats of Camp Vere to the royal burrows :—
Right honourable,—Whereas the staple contract which upon the 25th of December 1718, N.S., wee entered into with your honours for the space of one and twenty years does expire in the year 1739, wee have found propper by this our letter in a freindly manner to desire a further prolongation of the same for one and twenty years more, which if your honours will be pleased to consent to yow shall always find us ready to join in any measures that can be desired for the support and encouragement of trade. In consideration of the ancient contracts and agreements that have been betwixt us and the mutual advantages ariseing therefrom to the trade of both countrys wee perswade ourselves your honours will readily agree to the desired prolongation. Expecting a speedy and favourable answer, wee recommend yow unto the divine protection, and remain, right honourable, your honours good freinds, the Burgomasters and Council of Camp Vere. By their order. *Sic subscribitur* : N. Heengracht.

Translation of
letter.

Follows the convention's answer to the forsaid letter :—Right honourable,—Observing by your letter of the 9th of June, presented to us by our trustee freind the lord conservator, that the staple contract sub-

Answer.

EDINBURGH.
8 July 1736.

Answer.

sisting betwixt your lordships and us doth expire in the year 1739 and that yow desire in a freindly manner a further prolongation of the same, wee being equally desireous to concurr in any measures can be devised for the support and encouragement of trade doe readily agree to the same; and as all contracts must be of reciprocal advantage to the contracting partys in order to their subsisting wee on our part shall take care the staple goods be fairly and regularly restricted to your port, as wee doubt not yow will on the footing of ancient contracts give all possible encouragement to our trade and assistance to our trustee freind the conservator, whom we have commissioned to prolong and continue the contract in terms of his commission and instructions from us. Recommending yow and your state to the divine protection, wee remain, right honourable, your lordships good freinds the convention of the royal burrows of Scotland. Edinburgh July 8th 1736. Signed in presence and by the appointment of the convention. *Sic subscribitur*: Alexander Wilson, preses.

Report of
committee on
agent's ac-
counts for
missive dues.
Forbes' history.

18. Missive dues for year to July 1736, £8000; George Smollet's bond, principal and interest, £2575, 15s. 10d.; Discharge (including Smollet's bond and balance due to agent on last account, £510, 14s. 6d., with a payment of £600 to "Dr Patrick Forbes to publish his history"), £11,755, 15s. 10d.; balance due to agent, £1180 Scots.

Report on
agent's ac-
counts of un-
free trade.

19. Charge (including last year's balance of £3972, 6s. 2d.), £5446, 3s. 8½d. Payments, £2438, 18s. 4d.; balance due by agent, £3007, 5s. 4¾d. Leaving out shillings and pence the following are the cess and missive dues received:—Weemys, £44; Greenock for 1734, £160, and for 1735, £235; Leven, £58; Kilmarnock, £58; Dalkeith, £117; Down, £9; Dunnikier, £19; Linktown, £19; Boness, £147; Prestonpans, £147; Peterhead, £40; Stonhyve, £29; Eli, £29; Old Meldrum, £22; Eymouth, £73; Kilwinning, £14; Aloa, £73; St Ninians for 1734, £9, and 1735, £14; Salt Coatts, £117; Musselburgh, £29. Total, £5446 Scots. The following are the payments:—Missive dues, effeiring to £4, 2s. of the tax roll, £336, 8s. 4d; payments for quartering per 39th act of 1730, £60; general receiver in full of 8 months supply for the burghs of barony £2018, 10s.; burgh of Rothesay 4 months cess of 1s. per 20th act of convention 1734, £24. Total, £2438, 18s. 4d.

Conservator.

20. Appointed the agent to pay the conservator £29, 16s., being sum required in addition to fees to make up depute's allowance to £50 sterling.

Kintore, Kil-
renny, Culross
and Kinghorn.

21. A committee having considered reports of visitors of the burghs of Kintore, Kilrenny and Culross "were of opinion the convention should give them such assistance as they should think proper;" and it appearing that the burgh of Kinghorn "had omitted a considerable branch of their revenue and not

dealt ingeniously with the visitors the committee were of opinion they deserved no assistance." The convention approved of the report and delayed consideration of the reports on Kintore, Kilrenny and Culross till next meeting.

EDINBURGH.
8 July 1736.

22. The convention considering that there is provided at the expence of the royal burrows twelve suits of the best fine table linnen to be shown to the members of parliament and others at London, that thereby the progress made in such manufacture in Scotland may appear to them, the convention doe therefor unanimously resolve that a letter be write in their names by their preses to the honourable Arthur Onslow, speaker of the house of commons, to pray that he would be pleased to accept of a present of the said linnen, and that he be waited on with the said letter and present by such of the burrow representatives in parliament as are members of the convention.

Linnen presented to Speaker of House of Commons.

23. The committee having considered the remit concerning the regulation of custom house fees, as also a petition of Mr Hog and others about a process at the instance of William Nuckell against the collector of customs at Alloa, reported that "considering the uncertainty merchants are at how to pay any fees at all or what rates to pay and that the power of levying money from the subject is solely in the honorabill house of Commons," the convention should remit to the annual committee (1) to draw up a letter to the Scottish members "desireing them to make application in the strongest and most effectual way to have this difficulty about fees removed and some thing fixt and established" and (2) if they are satisfied with the process referred to to concur in it at the common expence of the burghs.

Custom house fees.

24. The convention considering that there is a law past this last session of parliament for idemnifying persons concerned in frauds against the revenue preceeding the twenty seventh of Aprile 1736 and for the more effectual preventing the smuggling of tea, brandy, &c., for the future, to which sundry new forfaitures and penaltys are annext, the convention, to testify their detest and abhorrance of that vile practise of smuggling and out of tender regard for all traders even for those concerned in this practise, doe remit to the [annual committee] to cause draw a proper letter to be sent to each burrow exhorting them to desist, at least for their own sakes, from this infamous trade, and to admonish them of the hazard they run if they fall within the description of the law.

Smuggling.

- EDINBURGH.
8 July 1736.
Johnston con-
joined with
Moncur,
officer.
25. Having heard petition from James Moncur, officer to the royal burghs, setting forth his indisposition and craving the appointment of an assistant, and also a petition from John Johnston, merchant burghess of Edinburgh, offering to perform the duties without salary during Moncur's lifetime if he got the emoluments afterwards, the convention appointed Johnston joint officer on these conditions.
- Moncur,
officer.
26. The convention "considering the bad state of health of James Moncur, burrow officer, and that he has long served the royal burrows faithfully and honestly," granted to him £15 sterling.
- Kintore, Kil-
renny, Culross.
- 27-29. Appointed the agent to pay (27) to the burgh of Kintore £15 sterling "towards the finishing their tolbooth, &c.;" (28) to the burgh of Kilrenny £15 sterling "for repairing their harbour, &c.;" and (29) to the burgh of Culross £20 sterling "for repairing their town house, &c."
- Staple con-
tract.
30. Appointed the agent to pay to Archibald M'Aulay, conservator, £100 sterling "to defray his charges in going to Campvere and executing the commission given him by the convention for obtaining a prolongation of the staple contract."
- Kinghorn.
31. Remitted to the burghs of Edinburgh and Bruntisland to inquire farther into the state of revenue of Kinghorn, and to report.
- Baillie Young,
supply.
32. Appointed the agent to pay David Younge, late bailie in Brechin, £4 sterling "of supply, upon condition that he give the convention no further trouble on that head."
- Russia mer-
chants.
33. Remitted to the annual committee "to doe what shall be necessary for protecting the merchants tradeing to Russia in their rights and priviledges of carrying on that trade."
- Annual
committee.
34. Annual committee appointed with usual powers.
- Sallarys and
gratuitys.
35. Appointed the agent to pay certain salaries and gratuities.
- Convention
dissolved.
36. Dissolved the present convention and appointed next to be held at Edinburgh on the first Tuesday of July 1737.

MEETINGS OF ANNUAL COMMITTEE, *held at* EDINBURGH.

12 July 1736.

- EDINBURGH.
12 July 1736.
Sederunt.
- Edinburgh, Mr Thomas Herriot and James Sim; Aberdeen, Hugh Hay; Glasgow, Andrew Ramsay; Air, James Montgomry; Dysert, George Irving; Brechin, David Doig; Dumbarton, Archibald M'Aulay; Elgin, William Forbes; Tayne, William Ross; Dingwall, Alexander Jollie.
- Preses.
1. Alexander Wilson, lord provost of Edinburgh, elected preses.

2. The committee having considered the 12th act of last convention EDINBURGH. 12 July 1736.
remitted to a subcommittee to draw up instructions to be given to the con-
servator. Conservator.

3. Remitted to a subcommittee to draw up a letter to be sent to all the Smuggling.
royal burghs anent smuggling, in terms of the 24th act of last convention.

4. Referring to the 23d act concerning the process against the collector of Process against collector of
the customs at Alloa, and having heard a memorial thereanent, the committee customs at
remitted to a sub-committee to inquire into the state of the process and to Alloa.
report.

18 August 1736.

Edinburgh, Thomas Heriot and James Sim ; St Andrews, Patrick Lindesay ; Sederunt.
Dysert, George Irving ; Tayne, William Ross ; Elgin, William Forbes ; Ding-
wall, Alexander Jolly.

1. Alexander Wilson, lord provost of Edinburgh, elected preses. Preses.

2. The subcommittee appointed to draw up instructions to the Instructions to
conservator presented the same, which were read and approven as the conser-
follows :— vator.

(1) Whereas by the articles of the last prolongation of the staple contract entered into between the royal burrows and magistrats of Camp Vere they, the said magistrats, are bound to use their utmost endeavours with the estates of Zealand to procure herrings cured in Scotland, and Scots salt to be added to the staple commodities which are comprehended in the said contract, the conservator is to enquire what progress is therein made and to endeavour that these be included in the next prolongation.

(2) The conservator is to endeavour that bar lead and lead ore, the product of Scotland, be comprehended in the next prolongation.

(3) That by next prolongation power be given to the conservator of nominating and constituting a measurer upon the decease or malversation of the person now in that office.

(4) Whereas complaints have been made of exorbitant exactions by porters, weighters, wine workers, cran masters, scoutmen, &c., a regulation ought to be established to prevent effectually such abuses for hereafter before the prolongation be executed.

(5) The conservator is from time to time to inform the lord provost of Edinburgh of his proceedings in the premises which are to be laid before the annual committee of the royal burrows.

EDINBURGH.
18 August
1736.

Clerks to give
conservator
two last staple
contracts.

Private in-
structions to the
conservator.

3. The conservator acquainted the committee that he being immediately to repair to Camp Vere to prosecute the commission and instructions given him by the royal burrows, it would be necessary that he should carry with him the two last staple contracts for his assistance and perusal. The committee appoint their clerks to give up to the conservator the staple contract 1697 and the prolongation thereof 1718 upon his receipt and obligement to redeliver the same upon his return.

4. Follows the conservators privat instructions :—The annual committee . . . doe hereby declair that notwithstanding they have agreed to five several instructions of the date hereof to be observed by him in executing the said prolongation, yet notwithstanding that if none of the first four of the said instructions can be obtain'd it shall noways hinder the conservator from executing the said prolongation according to the contract now subsisting if it shall appear to him to tend to the benefit of the royal burrows, and that more ample priviledges than what the burrows now have by the staple contract cannot be obtain'd from any other city in the united provinces.

3 September 1736.

Sederunt.

Edinburgh, Mr Thomas Heriot and James Sim ; St Andrews, William Douglas ; Irving, Andrew Huntar ; Forres, William Forbes ; Dingwall, Alexander Jolly ; Elgin, Mr William Forbes.

Act and letter
against smug-
ling approven.

The subcommittee apointed to draw up a letter to the several royal burrows of Scotland concerning the pernicious trade of smuggling, conform to the twenty fourth act of the last general convention, presented the draught thereof, which being read the committee approve thereof and appoint the same to be signed by their preses in their name, and appoint six hundred coppys thereof to be sent to every royal burrow and two to each burgh of barony and regality who have accepted of the communication of trade, and of which letter the tenor follows :—

Letter to the
royal burrows
against smug-
ling.

Loving freinds and neighbours,—The general convention of the royal burroughs, whose duty and interest it is to take care of the commerce and welfare of the whole, having taken into their serious consideration the many mischiefs that have attended the pernicious practice of smuggling, to the great discouragement of all fair traders and to the utter destruction of many thousands

of the unhappy persons who were engaged therein, whereby commerce is sunk to the lowest ebb and this part of the nation wholly drained of money and impoverished, and having with deep concern observed that this destructive practise may still continue to the utter ruine of the estate of burrows as well as of the country unless the eyes of mankind in general are opened to see the danger, and unless the sober and industrious who love their country and are concerned for its welfare can be prevailed with to co-operat with and assist in the execution of the late act of parliament for the more effectual preventing the smuggling of tea, brandy, &c., have commanded us their annual committee to draw up and to send in their name to each burrow a letter exhorting them to desist from this infamous trade and admonishing them of the hazard they run if they persist in it ; and wee in obedience to their commands and from the most ardent desire to prevent the total destruction of our country have drawn up the following reflexions to which wee earnestly entreat your attention.

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To the end what wee offer to your consideration on this subject may be the more distinct wee shall confine our thoughts chiefly to two articles, tea and brandy, and examine the disadvantages that attend commerce in these commoditys as they affect the nation in general, as they affect the state of the royal burrows, and as they have affected and must still affect the adventurers in them.

To begin then with these subjects of trade as they affect the nation, every one knows, and the nation by fatal experience feels, that such immense quantitys of brandy have now for many years been fraudulently imported without payment of duty that the importers have been obliged to sell forreign spirits cheaper than spirits from our own corn could be produced, which has not only put ane end to the distillery of spirits at home but has even diminished the brewing trade by furnishing brandy for punch at low prices.

The advancement of the revenue is not the sole reason for laying high dutys on some sorts of forreign goods. A higher and more extensive consideration produces such regulations, namely, the promoting the consumption of our own native commodities by making the purchas of forreign commodities which answer the same uses dearer and more difficult. Now this salutary and national view has been by smuggling in a great measure defeated. Run tea is sold so cheap that it becomes a regular part of the diet of those who could not think of purchasing it if the duty were added to the price, and the multitude can hardly be blamed if they prefer brandy to home made spirits when it can be purchased cheaper than our own home made spirits.

And the obvious effect of all this is that those forreign commodities being made use of in place of our own just so much of our own product becomes useless as would be employed if these forreign goods were not imported. If no tea or brandy were imported people would return to the diet of their ancestors, and where spirits or strong drink might be necessary would make use of their own which needs must have many consequences to the advantage of the nation,

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but so long as the use of tea or brandy is continued the consumption of our own product ceases which must make the whole fall in value when the product exceeds considerably the consumption.

The disposition to cultivate and improve waste and moorish grounds which diffused itself amongst the gentry all over the country was one of the most promising circumstances that attended the Union, but that spirit has been greatly damped by the low price of grain; nor can any gentleman be blamed for discontinuing his improvements when he can have no hopes of being repaid by the product of his grounds, which nevertheless must be the case as long as grain continues to give no price, and it must continue to do so whilst tea and brandy supply the place of the liquor and spirits that might be produced from grain. Thus grain produced by the industry of the farmer and by the commendable zeal of the country gentleman to improve his own grounds and to invite his neighbours to do the like turns to no account. In proportion as the quantity raised exceeds the demand the price falls and the owner finds himself undone by the frauds of those who sell foreign commodities cheaper than he can afford his. It is astonishing that gentlemen and farmers have not sooner discovered the source of the misfortunes they have so long complained of, and that on the contrary they have often in spite of law and common sense put themselves on the side of the smugglers and employed their servants, their cattle and their carriages, in securing and carrying through the country these very commodities that destroyed the value of their own and in some years annihilated at least one third part of their rent.

For tho' grain has lately bore some price yet that is manifestly owing to bad crops at home or to accidental demands from our neighbours, and if the produce was to be such as in good seasons is to be expected, without some extraordinary calamity abroad, it is certain great part of our grain must remain undisposed of which in consequence would lessen the value of the whole.

Whilst Flanders was the scene where numerous armies acted and when the greatest part of Europe was engaged in war, which in some degree prevented the culture of the ground, at the same time it made a great demand for grain to fill magazines. The British grain even of the meanest kinds was of value, and what remained after supplying the home consumption found vent abroad; but now the case is strangely; the world is in peace, countrys that were the seat of war produce corns in abundance, even France exports grain to foreign parts with advantage, and the corns of this country cannot meet with a market any where upon the continent soe that it must be made use of at home or perish.

When our grain drew money in foreign markets and with that money the same quantity of foreign spirits could be purchased and imported as could be distilled from the grain at home, it was perfectly equal to the country whether

they made use of brandy or aqua vitæ, that is whether they consumed the product of their own grain in homemade spirits or in spirits distilled in France, but when Scots grain is not saleable in any forreign market and must be either distilled at home or perish, whoever imports forreign spirits to prevent that distillation ruins so much of the national product and purchases that mischeef to his country at the expence of so much bullion as the prime coast and the expence of the importation amounts to.

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It is notorious that the exchange with France is against us, that the importation of any of our commodities saleable there is under discouragements, and that our brandy from thence as well as our tea from Holland is payed for in ready money or in bills of exchange at great disadvantage to us which is worse. Under these circumstances it is demonstratively clear that every penny wee pay for tea or brandy might be supplied by our own product at the same time that this expensive importation debases the value of the growth of our own lands.

These mischeifs with verry slight attention might have been foreseen but at present there is no great occasion for reasoning; they are felt. Grain gives the price compared with what it did before the immoderat use of run tea and brandy, and there is hardly one penny of coin to be met with in the nation; the whole is gone principally in exchange for that tea and brandy which has destroyed the value of our own product. Another national and verry hurtfull consequence that attends this verry pernicious trade is that hopes of gain (which however plausible) yet have constantly failed have drawn many younge men of small fortunes, whose parents or relations resided near the sea coasts, into this dangerous sort of commerce on the prospect of running their goods securely by the assistance of their freinds and thereby has diverted them from imploying their smal stocks and their industry in the advancement of those manufactures to which the nation must ow its wealth if it ever recovers from its present distressed condition, and thereby has in a good measure disqualify'd them from being usefull to their country.

Wee look upon it as a verry luckie circumstance that the nation is generally convinced of the injury ariseing from the running of brandy and cannot help lamenting that they doe not so universally see the much greater ruine that attends the smugling of tea. That it is to the smugling the universal use of it is owing must be confest, because thousands who buy and use it at the present low rate could not afford to purchas it paying the duty, and the cheif temptation to the use of it is the nottorious lowness of the pryce which is so smal that men can hardly let it into their heads that it is in any degree a national consideration.

But they doe not reflect that the pryce of run tea is the smallest part of the expence. When they intertain themselves or their freinds with that drug the sugar drops totally out of the accompt. That commodity is verry near as much

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forreign to this part of the island as tea is, and if any one will add the expence of the sugar to that of the tea and compute how much both cost each family that makes use of them (and how many familys in the kingdom consume tea) his surprise at the extream impoverishment of this country will cease, and he will wonder more that there is one penny of coin left than that we have so little. Were the laws that relate to tea punctually executed the use of it would not totally be destroyed but it would be mightily restrained. The rich might intertain themselves with it as they doe with many unnecessary, nay noxious things, but the duty would put it out of the reach of the meaner sort of people who are infinitely the more numerous, and thereby in a great measure prevent the national loss.

Thus wee have laid before yow some of the national disadvantages that arise from smugling tea and brandy. Wee verriy beleive that no honest Scotsman would from any temptation how great soever have followed that pernicious trade from the beginning could he have foreseen the extent of the mischeif to his country, and wee must conclude that whoever shall be so wicked as to pursue it in time comeing, after the late indemnity has discharged past offences and after the cruell effects of it have been so sensibly felt and are so certainly known, must be contented with the character of ane enemy to his country.

The next view wee propose to take of the smugling trade was as it affects the state of the royal burrows; and in regaurd to this every one knows the consideration on which the state of burrows pays one full sixth part of the land tax is the exclusive right to forreign trade to which they are (by many laws confirmed by the treaty of Union) intitled, and if forreign trade were actually as it is legally confined to freemen, if royal burrows were the magazines of all forreign merchandizes and the residence of all dealers in forreign trade, they might well afford to pay this proportion of the tax. But every one knows at the same time that the infamous practise of smugling has rob'd the burrows of the priviledge at the same that it leaves them groaning under the burden. The sea coast where it can be most conveniently toucht is the scene of running, the sons or relations of gentlemen whose estates lye near the coast are the importers, their houses or those of their tennents are the warehouses for forreign goods, and whilst goods can be sold out of those warehouses cheaper than in royal burrows it is absurd to think that freemen can trade without loss.

Whoever gives the least attention must discover that the inhabitant of a royal burrow cannot deal in running with half the advantage ane outlyer can. In royal burrows of any trade, ports are fixt, there is a custom house and a croud of officers whose vigilance can no otherways be avoided than by high bribery which brings upon the smugling a considerable expence, but outlyers in the litle creeks and by places where they unload their wares have no officers, at least none of any consequence, to deall with, and trifleing presents, perhaps the

sale of smal parcells of wine, brandy or tea, at prime coast, secures the freindship of neighbouring gentlemen and consequently secures the run goods againstt every-thing except a detachment of regular troops which cannot easily at all times be had, and whose dilligence is frequently eluded because their livery discovers them and gives time to the smuglers with the assistance of the neighbourhood to remove their goods.

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Wherefor, if smugling were a gainfull trade which ane honest burges should resolve to follow consulting common sense, the first step he ought to take must be to desert the burrow whereof he is free and to take up his residence and make up his acquaintance near some creek remote from the port, where he might run and keep his goods in safety till propper opportunitys might be met with of convey-
ing them throw the country, and perhaps into the royal burrow which he had abandoned, there to be retailed by the burgesses whose the right was to have originally imported them. Thus if smugling take place the royal burrows have done with forreign trade. It is utterly impossible to carry it on in the fair way whilst smugling succeeds in the neighbourhood, and the odds is so great on the side of the outlying smugler against the freeman intending to attempt the run-
ning trade that whoever projects to follow it must, if his eyes are open, make the country and not the burgh the scene of his traffick.

These reflections are so obvious and the mischevious effects of smugling are so sensibly seen in the declineing condition of many burrows lately possest of trade, that it is amazing some remedy has not been found out and applyed to this evil, so dangerous to the state of burrows in general as well as pernicious to the nation, and it is the more amazing that the only remedy seems to be in the hands of those who suffer by the disease and who nevertheless out of indolence or upon some false notions will not apply it.

Were the freemen of royal burrows universally to give up the runing trade and to acquaint the outlying smuglers that they must also quite it and that if they doe not the freemen will become informers, who can doubt that the outlyers must desist? For not to speak of their want of shiping and of ability to manadge a cargo without being concerned with some freemen, it is certain they could not import or sell off goods of any value without the knowledge of freemen, and that knowledge employed in giveing information to the officers of the revenue must soon put ane end to the mischeif, nay the resolution taken and declared would infallibly stop the evil because no outlyer in his sences would thereafter attempt any fraudulent importation for fear of discovery.

The only possible objection so far as we can see that stands in the way of taking such a resolution is the odious idea that has for some time been affixed to the word informer; and to be sure whilst all dealt in the same illicit trade it was unhandsom in anyone to make privat gain by discovering, but if ane intire class of men, nay the only men who have a right (and that exclusive too) to

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foreign trade shall give up the smuggling method of carrying it on to prevent their own undoing and the undoing of the state of burrows, can it at all be found fault with in them if they do not permit another set of men, who have no sort of right to carry on foreign trade, to trade fraudolently, and if after notice given they follow all legal methods to secure foreign trade to themselves by putting a stop to the frauds of those who would destroy their priviledges at the same time that they rob the publick.

Fond but false hopes of gain made freemen soon after the Union fall into the running trade and whilst imbarqued in it they durst not complain of outlyers tho they saw them running away with their priviledge (*id est* foreign trade) for fear of their using the same wapons that now must be used against them, viz., informations and discoveries. Experience has since shewed how vain these hopes were and how noxious the trade is to the nation as well as to the state of burrows. Shall the freemen then, who suffered the outlyers to gain upon their priviledge out of necessity whilst they followed the clandestine trade, sit now quiet, and when they for their parts must give up all thoughts of running, allow the outlyers to enjoy all the foreign trade for which the burrows pay, when their enjoying that trade and in the fraudulent way too disables the freemen from carrying on any foreign trade whatever? Surely, whoever has any regard to the well of the royal burrows cannot be patient under such a circumstance or think any method that is not illegal or dishonest too rough to prevent a mischief so general and so dangerous.

The last thing wee shall lay before yow is a view of the smuggling trade as it affects the unhappy adventurer, and on this subject we may appeal to your own proper knowledge, and to the knowledge of every one who has been the least acquainted with the trade of Scotland since the Union, what ruine it has produced and how many familys it has undone. It is not easy to say how many thousands have been concerned in that destructive trade, but it is verry safe to aver that hardly one man out of ane hundred who ever dealt in it escaped being hurt by it or indeed escaped ruine if he did not give it up verry soon. And the reason is extreamly obvious. The strong expectation of gain from the greatness of the duty which was all to be saved drew multitudes of persons with smal stocks and smaller correspondence into the trade. Those persons traded above their stocks upon credit afforded them in France or Holland and poured in vast quantitys of tea and brandy upon the country. Could they have sold their goods at as high a rate as if they had paid duty or near it, which was the case of the first smugglers just after the Union, their profit would have been great; but in place of that, when the importation exceeded the demand, which happened verry soon, they were obliged to sell off their wares at any price as quick as they could to answer their bills when they fell due, and brandy came frequently to be sold with all the expence and risque that attends at present cheaper than ever

it was sold in Scotland before the Union when it payed little or no duty, whereby the destruction of the importer became unavoidable.

Saving the whole duty on goods that pay so high as brandy, tea or wine, yeilds a glaring prospect, but the unhappy smuggler does not consider or bring into the account the expence of running, the correspondence he must maintain with officers and with the country, the frequent occasions for hush money and the accidental losses by seizure. These drawbacks would prove a considerable discouragement to the trade even were run goods to be sold at the pryce they ought to draw paying the duty, but when in reality the smuggler is obliged to sell his goods for little more than the prime coast because of the excessive importation beyond the demand, these expences not brought to account gradually consume his stock and the first unluckie seizure compleats his destruction and leaves him a burden on the poor country which he had so far as his credit could goe exhausted of money by his pernicious practises.

Had all the money made use of in smuggling been employed in carrying on manufactures at home, the manufacturer might possibly have lost but the nation must surely have gained, whereas every penny that has been exported for tea, brandy and wine, with the use of which the country could easily have dispensed, is so much money lost to the nation, and when one sees for example a smuggler (who may have been worth originally 200 li. and who may have traded ten years) undone, one is not to say that 200 li. is lost to the nation but the fair conclusion is that 2000 li. of the national money is exported by him, because if he has traded annually to the value of his stock every years trade was so much loss to the country.

It's therefor surely high time for the smuggler to leave off this consuming trade and tho his eyes have not hitherto been open to the misery of his country and to his own danger thro' his practises it is to be hoped the late act for preventing smuggling will show the impossibility of continuing in that abominable course without immediat destruction. It is penal to be found within two leagues of the coast with prohibited goods on board, all keepings and such fast places must be open to the officers search, high penalties attend every offence, and if the country gentlemen who are generally in the commission of the peace doe not shutt their eyes upon their own interest and on the interest of their country but will act with propper vigour, it must become absolutely impracticable for a runner of goods to escape ruine, and if the extream danger which from henceforward must attend this infamous commerce should put ane end to it the necessary consequence must be that the money now exported in exchange for useless commodities, which serve only to lower the value of our own, will be kept at home and employed in promoting, purchasing and exporting those manufactures by which alone our country can be recovered from poverty, and forreign trade will be restored to its ancient channel, the royal burroughs, to

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which of right it belongs. When business is carryed on in an open undisguised manner the fair trader, who has too much virtue to submit to perjury and too much prudence to submit his fortune to chance, can reassume his vocation and form projects of trade without the hazard of being undone by that bane of all honest commerce, the smuggler.

Our reflexions hitherto have been pretty much confined to the case of tea and brandy, which we have chosen as the instances in which the mischeifs of smuggling are the most conspicuous, but yow will certainly carry them further in your own minds and see that they apply to almost all other foreign commodities the use whereof can be dispensed with and that are run to avoid payment of duties and particularly to wine. No man can say that it is the interest of this nation to have great quantitys of wine consumed in it in exclusion of bear and ale which naturally would supply its place. No man can deny that the lowness of the pryce of wine is the great inducement to men of low rank and smal fortunes to deal in it, and therefor no man can doubt it is to be wisht it bore a higher price (if it cannot absolutely be prohibited) to prevent the too great consumption of it. If no wine were imported without payment of duty it surely could not be afforded so cheap as it is at the out ports and therefor one should think it follows unavoidably that it is the interest of the nation that all wine should pay the duty.

As it is the interest of the nation it is no less so of the fair trader who cannot possibly carry on his business if he is undersold as he must be when smuggling prevails. A clear conviction of this truth determind the wine traders of Edinburgh some years ago by unanimous consent to enter every drop of their wines, which they have done ever since, and in consequence of that fair practise have avoided the many losses and disappointments they were formerly exposed to and trade in wine at as great a certainty as in any other sort of perishable commodity.

Whereas in the out ports where almost all the wine imported is run the price is frequently verry low the smuggler is often oblidge to sell hogsheads which cannot be so safely hid or transported as tea or brandy for what he can at the time get for them. Accidents spoil the liquors and accidental seizures undergo the adventurer. In these circumstances it will be the hight of madness to think of carrying on any more the trade of running wine. It will be by much less worth dealing in when smuggling in the other articles ceases and the custom-houses will be much better able to look after this branch of theiving when they are not necessarily engaged in correcting the others. Besides that as it is their duty to take care of the execution of the law lately made, wee are credibly informed the commissioners have come to a resolution to bring things in the outports with respect to the importation of wine to the same foot on which they stand at the port of Leith, that after Michaelmas they will stand at

no expence to prosecute offenders, and that if after that time a single hogshead of wine shall be imported without entry and payment of duty they will prefer English bills for discovering and recovering that duty which this nation has not hitherto been acquainted with. What inconveniency this will produce to men who should be so unhappy as to pursue fraudulent courses after notice wee leave to yow, to themselves, and to the whole world to judge.

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Thus, loving freinds and neighbours, wee have executed the commands laid upon us by the general convention, and wee obtest and conjure yow by the love yow bear to your country, by the regard yow have for the well and prosperity of the burroughs, and for the preservation of their rights and priviledges, and by the compassion yow ow to the unhappy circumstances of your heedless freinds and neighbours who may be ready to plunge afresh into this gulph of destruction, that yow will exert yourselves in your several capacities, whether as men or as magistrats, to put at once ane end to this dangerous mischeif, and that yow will not think any trouble too great or any means if lawfull improper to accomplish this important design. We are, right honourable, your most humble servants and affectionat brethren, the annual committee of the royal burrows of Scotland. Edinburgh 3d September 1736.

1 December 1736.

Alexander Wilson, lord provost of Edinburgh, preses.

Edinburgh, Mr Thomas Heriot; St Andrews, Patrick Lindesay; Dysert, Sederunt. George Irving; Dumbarton, Mr James Smollet; Dumbar, Captain James Fall; Montrose, John Coutts.

1. Appointed the agent "to prepare and make out materialls necessary for drawing propper clauses in the bill for imploying and mentaining the poor, and to lay the same before the lord advocat and Mr solicitor that they may therefrom draw up such clauses."

2. Referring to the 23d act of last convention the committee instructed the agent to write to Dundee, Aberdeen, Inverness, Montrose and Glasgow for a list of custom house fees exacted at their ports.

Remit anent
the poor.
Custom house
fees.

30 December 1736.

Alexander Wilson, esq., lord provost of Edinburgh; Edinburgh, Mr Thomas Heriot; Glasgow, John Coulter; Dysert, George Irving; Dumbarton, Archibald M'Aulay; Cullen, John Philp.

1. The committee having heard a memorial from severall of the merchants in the city of Edinburgh and Glasgow, in behalf of themselves and others dealing in forreign trade, setting forth the many advantages

Sederunt.
Application for
a road betwixt
Edinburgh and
Glasgow.

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Application for
a road betwixt
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Glasgow.

Poor and cus-
toms fees.

James Turing
to be staple
factor.

that would access to the whole united kingdom and the trade and commerce thereof if the communication betwixt the firth of Clyde and the firth of Forth by land were made more commodious by making a high way in a direct line from Edinburgh to Glasgow sufficient to bear the weight of all manner of wheel carriage, and that it would deserve to be forwarded and carried on from some publick fund, the committee delayed the consideration thereof till the fifteenth of February next, and appoint their agent to write to the haill members of the committee to attend at that time to consider of the said memorial; and also to consider of the propper clauses to be part of the bill depending in parliament for maintaining and employing the poor; and of propper means to establish a fixed table of fees for the custom house officers as remitted by the fifteenth and twenty third acts of the last general convention.

2. There was a petition given in by Thomas Paul, dean of gild of Aberdeen and his assessors of court, subscribed by them and a great many of the tradeing merchants of the said burgh, seting forth that the said burgh of Aberdeen is of all the royal burghs of Scotland cheifly concerned in the Holland trade, and that the success of their trade much depends upon the dilligence and fidelity of the factors employed at the staple port, and it being necessary that there should be at least two factors employed at the said port, therefor they humbly recommended Mr James Turing, merchant in Rotterdam, as a fitt person to be employed as factor, of whose dilligence, capacity and fidelity they had sufficient experience. [The committee admitted Turing to be a factor as recommended.]

15 February 1737.

Sederunt.

Alexander Wilson, esq., present lord provost of Edinburgh, preses; Edinburgh, Mr Thomas Heriot and James Sim; Linlithgow, John Buckney; St Andrews, William Douglas; Glasgow, John Coulter; Dysert, George Irving; Kirkaldie, Robert Hay; Montrose, John Coutts; Inverkeithing, John Cant; Dumbarton, Mr James Smollet; Elgin, William Forbes; Dingwall, Alexander Jolly; Cullen, John Philp; Air, Andrew Hunter.

Road to Glas-
gow.

1. The committee having heard a memorial from several trading merchants in the citys of Edinburgh and Glasgow concerning a road pro-

posed to be made betwixt the firths of Forth and Clyde, there was presented by the commissioner for the burgh of Linlithgow a petition for the magistrats and councill of the said burgh craveing that the said intended road should be made by the way of Linlithgow as being mostly for the publick advantage and the advantage of Linlithgow, Stirling and other burghs, the consideration of both which was deferred till next meeting of the committee at five in the afternoon.

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Road to Glas-
gow.

2. Remitted to a subcommittee to consider table of fees for custom house officers.

Custom house
fees.

3. The conservator presented to the committee a prolongation and amplification of the staple contract for twenty one years [from 25th December 1739, which he had concluded with the burgo masters and councillors of the town of Campvere, with a letter from that town to the convention]. And at the same time he reported to the committee that beside the particulars mentioned in the contract he had obtained from the magistrats of Campvere to take such of the poor of the Scots nation as should be indisposed and unable to provide for themselves into the hospital at Camphere for a smal allowance dureing their sickness, and also to provyde elements for the sacrament four times in the year for the Scots church there, and to provyde turf for the service of the church and meetings of the session during the winter season, and to take off the consistorys hands ane old decayed house that belonged to the poor, all which was a considerable expense upon the poors funds. Which being considered by the committee they appoint the forsaide prolongation and amplification, with the letter from the magistrats of Camphire to remain in the clerks hands and be laid before the next annual convention that it may receive their approbation and ratification in the usual manner.

Prolongation
of staple con-
tract.

4. Approved of the draught of a clause in the "act of parliament intended for imploying and mentaining the poor in Scotland," and recommended the preses and agent to solicit the support of the members of parliament for the burghs, and also appointed a circular to be sent to the royal burghs desiring them to write their several representatives in parliament to endeavour to get the same passed into a law.

Clause for im-
ploying the
poor in Scot-
land.

5. The subcommittee on the table of fees for custom house officers having recommended that the table settled in 1718 should be continued with some

Custom house
fees, herrings.

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Custom house
fees, herrings.

Road to Glas-
gow.

Limekilns.

Duty on soap
and potashes.

alterations, the committee remitted to Edinburgh, Glasgow, Montrose, Dumbarton and Inverkeithing to endeavour to get the consent of the commissioners of customs, and there was also remitted to these burghs "the consideration of a memorial presented by the commissioner for Glasgow concerning the fees exacted by the officers of the customs as to herrings exported which they are of opinion should be free of all fees, agreeable to law."

6. The committee having again heard the memorial concerning the proposed road between Edinburgh and Glasgow, with petition from Linlithgow relative thereto, delayed farther consideration of the matter "untill a survey be made of the ground and proper estimates of the expence be laid before the committee."

7. Having heard petition for Patrick Angus in Limekilns praying that that town may be relieved of one penny on the tax roll charged for the benefit of trade "in respect there is now no traders in the place," the committee recommended the agent to stop quartering till the convention meet in July.

8. Appointed the whole royal burghs to write to their respective representatives to promote a bill for taking off duties on such soap and potashes as are used in bleaching fields in Scotland.

16 February 1737.

Sederunt.

Table of cus-
tom house fees.

Sederunt as formerly.

The subcommittee reported their opinion that the table of fees agreed to between the commissioners of burghs and the commissioners of customs in 1718 should be agreed to with the following variations: (1) "all repayments by debenture, damage or over entry, provided such repayment does not exceed 40s., should be passed for half fee; (2) no mention ought to be made of permits or transiries for goods going by land because no such despatch is required by law; (3) no mention ought to be made of coast permits for goods paying high dutys, whereupon oath is made, for the above reason; (4) that the fees payable to the collector, comptroller and watersyde officers upon all coalls exported or sent coast ways in any ship or vessell under 100 tuns shall not exceed 2s. sterling at both ports including the certificate for cancelling the bond; (5) that the two general rules following should be kept out, viz., 1st, goods in partnership shall pay double fees, but no person or companys goods are to pay additional fees on account of different marks; 2d, no person shall be oblidge to take transiries for goods passing from Leith to Edinburgh, other than for tobacco, wine, brandy, spiceries, soap, druggs, paper and linnen forreign." The report was approved of and appointed to stand part of the circular appointed by yesterday's minute to be written to the royal burghs. The committee also instructed the agent to take the table of fees to London to get the variations made and the preses to wait on the members of parliament thereanent.

18 March 1737.

Edinburgh, Mr Thomas Heriot and James Sim ; Dumbarton, Archibald M'Aulay ; Air, Andrew Hunter ; Cullen, John Philp ; Dingwall, Alexander Jollie ; Dornock, John Baillie.

EDINBURGH.
18 March 1737.
Sederunt.

1. Thomas Heriot, dean of guild of Edinburgh, elected preses.

Preses.

2. There was presented by several members of the Society for propagating christian knowledge and Andrew Gardner, treasurer to the Orphans Hospital in Edinburgh, the draught of a clause in favour of the said hospital, which they earnestly desired the committee would transmitt to their agent now at London that he may lay the same before the members of parliament for the burrows to be under their consideration when the bill for imploying the poor in Scotland is brought in to the honourable house of commons, which clause being read the committee. appoint their preses to transmit the same accordingly.

Orphan's
hospital in
Edinburgh.

3. Mr Alexander Sharp, preses to the merchant company of Edinburgh, acquainted the committee that a bill was intended to be brought into parliament for restraining traveling merchants from taking up dwelling houses in different towns and burrows and carrying on the retail trade in every such town, contrair to the rights and priviledges of the inhabitants of free burrows, and that as Scotland and the royal burrows in it have been much abused with such traveling merchants therefor he intreated the committee would write to their representatives to promote the said bill and endeavour to extend it to Scotland ; which being considered by the committee they remit to Edinburgh, Dumbarton and Air, to prepare the draught of a letter to the members for the burrows for restraining these bad practises.

Act anent
travelling mer-
chants, &c.

22 March 1737.

Edinburgh, Mr Thomas Heriot and James Sim ; Elgine, William Forbes ; Dingwall, Alexander Jolly ; Air, Andrew Hunter ; Cullen, John Philp.

1. [The committee appointed by the third act of last meeting presented the following draught of a letter to the members of parliament for the burrows which was approved of] :—Sir,—I am commanded by the

Letter to
members of
parliament as
to traveling
merchants.

EDINBURGH.
22 March 1737.

Letter to
members of
parliament as
to traveling
merchants.

annual committee of the royal burrows to lay before yow and the other representatives of the burrows a matter which verry much concerns the state of burrows in particular and the nation in general in so much as it affects the traders and artificers through the whole United Kingdom, which is that for some time past several traveling merchants who have their dwelling houses in remote places doe also take up houses in Edinburgh and other royal burrows in Scotland, into which they and their partners by a joint stock doe put great quantitys of goods of different kinds and by their servants or others in their name doe issue and publish advertisements and other printed bills for sale of the said goods, and doe actually make sale thereof in a retails way, contrair to the rights and priviledges of the freemen inhabitants of such burrows, which is attended with manifold bad consequences as that the unwary people (being amused with the notion of cheap pennyworths) have their ready money drawn from them in great quantitys mostly for superfluitys while at the same time their rents are left unpaid and their neighbours who have given them long credit formerly are suffering for want of the necessarys of life.

(2.) These itinerant merchants doe generally make their abode in these towns or burrows for such times in the year only as they are sufficiently informed of is past the usual time of laying on the yearly cess, and soe after scrapeing together what money they can doe remove to some other town without paying any publick burden whatever, leaving these to be payed by the poor inhabitants whom they have supplanted in their trade.

(3.) These traveling traders doe frequently take up their residence in the suburbs or neighbourhood of great towns and by many artifices, such as lottery and the like, draw the neighbourhood into a way of buying several trinkets and merchant goods at extravagant rates and thereby ensnare apprentices and younge people and doe otherways engross and monopolize the retail trade to the great discouragment of the industry of all fair traders, and especially of younge beginners who have taken up with the retail trade in royal burrows.

As those and many other instances which could be given doe evidently show how destructive this way of tradeing is soe the committee desire to put yow in mind of the rights and priviledges of the royal

burrows of Scotland whereby they apprehend they have a right by law to seclude such traveling retaillers.

The royal burrows have by a charter from King David the sole privilege of trade and which has been ratified and confirmed to them by sundry acts of parliament, almost in every reign, and at last by the treaty of union their rights and privileges are reserved and preserved, and for this privilege of trade the royal burrows are subjected to the payment of the sixth part of the national cess. As their right is thus established by law soe there are several acts of parliament prohibiting all traders from carrying on trade outwith the burrows to which they belong and in consequence of these acts the convention of royal burrows have made several statuts prohibiting all trade to be carryed on but by such merchants only as reside with their familys in the royal burrow whereof they are freemen at least eight moneths in the year, and it has always been understood to be the sole right of the resideing burges to carry on the retails trade within the burgh to which he belongs.

The committee are informed that a bill is intended to be brought into parliament by the tradesmen in England for restraining such bad practises there, and I am desired by them to intreat yow will promote the same and that yow'll take care that a clause may be put into it for Scotland for effectually restraining all such traveling merchants from carrying on the retails trade in any of the burrows of Scotland or in the suburbs and neighbourhead of such burrows. I am, [etc.]. Edinburgh, 22nd March 1737.

EDINBURGH.
22 March 1737.
Letter to members of parliament as to traveling merchants.

GENERAL CONVENTION held at EDINBURGH.

Edinburgh, Mr Thomas Heriot and John Clerkson ; Pearth, Robert Robertson ; Dundee, Andrew Wardroper ; Aberdeen, John Robertson ; Stirling, Mr James Erskin ; Linlithgow, Mr James Glen ; St Andrews, William Douglas ; Glasgow, John Coulter ; Air, James Hunter ; Haddington, Robert Forrest ; Dysert, Thomas Spence ; Kirkaldie, Robert Hay ; Montrose, George Murison ; Coupar, Mr James Leslie ; Anstruther Easter, Sir John Anstruther ; Dumfreise, John Ewart ; Inverness, Mr Duncan Forbes ; Bruntisland, John Hogg ; Innerkeithing, John Cant ; Kinghorn, John Hogan ; Brechin, David Doig ; Irving,

EDINBURGH.
5 July 1737.
Sederunt.

EDINBURGH.
5 July 1737.
Sederunt.

John Glasgow ; Jedburgh, Andrew Frame ; Kirkcudbright, John Milligane ; Wigtoun, Patrick M'Kie ; Pittenweem, Robert Borthwick ; Dumferling, Adam Rolland ; Anstruther Wester, Alexander Gib ; Selkirk, Thomas Eliot ; Dumbarton, Mr James Smollet ; Ranfrew, William Somervell ; Dumbar, Charles Fall ; Lanerk, John Russell ; Aberbrothock, John Gellatly ; Elgin, William Forbes ; Peebles, John Ramadge ; Craill, Mr John Lumsdean ; Tain, George master of Ross ; Culross, Major Thomas Cochran ; Banf, Alexander Innes ; Whithorn, William Agnew ; Forfar, William Binnie ; Forress, William Forbes ; Ruthglen, David Scott ; North Berwick, Mr Hugh Hamilton Dalrymple ; Cullen, Mr John Philp ; Lauder, John Moffet ; Kilrenny, Robert Waddell ; Annan, Brice Blair ; Lochmabin, John Robertson ; Sanquhar, Mr Patrick Boyle ; Dingwall, Sir Robert Monro ; Dornoch, Mr John Baillie ; Queensferry, James Dalgleish ; Fortrose, Mr Hugh Forbes ; Kintore, Mr Robert Bruce ; Inverurie, George Scott ; Inverary, Archibald Campbell ; Kirkwall, John Hay ; Inverberrie, Mr Charles Maitland ; Stranraer, Mr Hugh Murray, Kinnimont ; Campbeltoun, Mr Alexander M'Millan ; (four burrows *blank*).

5 July 1737.

Preses.

1. William Crokat, eldest bailie of Edinburgh, elected preses.

Commissions.

2. Remitted to a committee to revise the commissions.

Donation by
Speaker of the
house of commons
for linen
manufactory.

3. Patrick Lindesay, esq., member of parliament for the city of Edinburgh, and a member of the convention from the city of St Andrews, acquainted the convention that he was charged with a message from the right honourable Arthur Onslow, speaker of the house of commons, to this honourable convention, that when he had the honour to wait on the speaker before he left London he laid his commands upon him to make his complements to this honourable convention in the most respectful manner and to acquaint them that he had accepted of the present of table linnen which they had sent him last winter with the same mind and intention which they had, that was to promote the improvement and extension of the linnen manufacture of this country where in his opinion it might be carried on to the greatest advantage for the general good of the united kingdom, and as the speaker had greatly at heart the prosperity of every national manufacture he assured this honourable convention that so far as his interest and influence went they might rely upon it that it should be (on every proper occasion) employed to promote the manufacture of home made linnen, and in the meantime as a testimony

of his good will and sincere intention to encourage so valuable a branch of business he had made a present of one hundred pounds sterling to be applied for encouraging the manufacture of table linnen in such a manner as this honourable convention should think most proper to attain the end proposed by him ; and which complement of one hundred pounds was payed into the hands of George Irving, agent to the royal burrows, whereof he being present did acknowledge the receipt.

EDINBURGH.
5 July 1737.
Donation by
Speaker of the
house of com-
mons for linen
manufactory.

4, 5. Approved of the commissions.

6. Remitted to a committee "to consider how the complement of one hundred pounds given by the right honourable the Speaker of the House of Commons for the encouragement of the manufacture of table linnen ought to be applied and to report."

Commissions
approven.
Onslow's gift.

7. Remitted the annual missive to a committee.

Missive.

6 July 1737.

8. Continued certain heads of the missive as articles of next one.

Articles of mis-
sive continued.

9. Approved of commissions from Bruntisland and Kirkwall.

10. Having reasoned sometime "anent the measure of lintseed kept by Linlithgow" the convention delayed farther consideration till next meeting "that the acts of parliament relative thereto may be considered."

Commissions
approven.
Measure of
lintseed.

11. Approved of report of visitors to Kinghorn and remitted to the committee on the agent's accounts to report "what assistance should be given for cleaning and repairing the harbours of the said burgh."

Kinghorn.

12. Delayed consideration of the tax roll till next meeting.

Tax roll.

13. The convention appoint four suits of table linnen each suit consisting of a table cloath and twelve napkins of the same kind that were given to the right honourable the speaker of the house of commons, to be made and given in a present to the right honourable Duncan Forbes of Culloiden, esquire, for his great care in promoteing the linnen manufacture.

Suits of table
linnen to Mr
Duncan
Forbes.

14. Remitted to a committee to consider "a petition in name of several traders in the herring fishing and a memorial setting forth several abuses and oppression committed by certain persons tending to destroy that valuable branch of trade."

Herring fish-
ing.

Eodem die, post meridiem.

15. The committee to whom the complaint from the traders in the

Report anent
the herring fish-
ing approven.

EDINBURGH.
6 July 1737.

Report anent
the herring
fishing ap-
proven.

herring fishings in the high lands of Scotland, and the other memorial and representation made to the magistrats of Aberdeen relative to the abuses committed on the dealers in that trade was referred, having read and considered the matters complained of, and being sensible that the fishing trade has greatly suffered by the abuses therein set forth, are of opinion that the convention should empower their annual committee who are to sit after the dissolving thereof to correspond and to act in concert with the commissioners and trustees for the improvement of fisherys and manufactures and to join with them in any measure that shall be found most propper to prevent such abuses in time coming, and for bringing to justice those offenders now complained of, and likeways to have the custom house removed from Stranoway to Lochbroom for the greater conveniency of the fishing trade in those parts, or to take such other measures as they shall think propper. And to empower the annual committee if they shall find necessary to appoint the agent to disburse a sum of money not exceeding fifty pounds sterling for the effectual attaining these usefull ends and the encouragement of this valuable branch of our fishery. Which being considered by the convention they approve of the report and authorize the annual committee to the effect therein mentioned.

Prolongation
of staple con-
tract.

16. The prolongation of the staple contract and letter from the magistrats of Campvere mentioned in the committee's minute of 15th February 1737 were presented and remitted to a committee for consideration and report.

Tax roll to be
altered.

17. The convention, by a majority, resolved to alter the tax roll, and they remitted to a committee to consider the condition of the whole royal burrows and proportion the tax roll accordingly.

Agent's ac-
counts.

18. Remitted to a committee to audit the agent's accounts.

Fisheries and
manufactures.

19. There was presented report by trustees for improvement of fisheries and manufactures for year to Christmas last.

Annual com-
mittee.

20. Approved of the whole proceedings of the annual committee.

7 July 1737.

Tax roll
altered.

21. In terms of the committees report the convention proportioned the tax roll as follows, for two years till July 1739 :—

Burgh.	Proportions of £100.	Sums payable for each month's cess on account of £2 mentioned in first column.	Burgh.	Proportions of £100.	Sums payable for each month's cess, continued.	EDINBURGH. 7 July 1737. Tax roll altered.
Edinburgh	£34 10 0	...	Tain	£0 3 0	£1 8 4	
Pearth	3 8 0	...	Culross	0 2 0	1 1 3	
Dundee	4 18 0	£31 17 6	Banf	0 7 0	15 11 8	
Aberdeen	5 18 0	...	Whithorn	0 1 0	...	
Stirling	1 8 0	9 18 4	Forfar	0 4 0	2 2 6	
Linlithgow	1 2 0	8 2 11	Rothsay	0 2 0	1 8 4	
St Andrews	0 7 0	2 9 7	Nairn	0 3 0	1 1 3	
Glasgow	18 10 0	...	Forress	0 6 0	2 9 7	
Air	0 15 0	6 7 6	Ruthglen	0 4 0	1 15 5	
Haddington	1 5 0	8 10 0	North Berwick	0 1 0	0 7 1	
Dysert	0 2 0	1 1 3	Cullen	0 2 0	0 14 2	
Kirkaldie	0 18 0	9 4 2	Lauder	0 5 0	1 15 5	
Montrose	2 12 0	20 10 10	Kilrenny	0 2 0	0 14 2	
Coupar	0 10 0	3 10 10	Annan	0 2 0	0 14 2	
Anstruther Easter	0 5 0	1 15 5	Lochmabin	0 1 0	0 7 1	
Dumfreise	2 0 0	...	Sanquhar	0 1 0	0 7 1	
Inverness	1 11 0	...	New Galloway	0 1 0	0 7 1	
Bruntisland	0 4 0	2 2 6	Dingwall	0 2 0	0 14 2	
Innerkeithing	0 5 0	1 15 5	Dornock	0 3 0	5 12 3	
Kinghorn	0 9 0	2 9 7	Queensferry	0 4 0	2 2 6	
Brechin	0 9 0	3 3 9	Fortrose	0 2 0	2 2 6	
Irving	0 18 0	8 10 0	Kintore	0 1 0	0 7 1	
Jedburgh	0 16 0	6 0 5	Inverury	0 1 0	0 7 1	
Kirkcudbright	0 6 0	...	Inverarie	0 1 0	0 7 1	
Wigtoun	0 5 0	2 2 6	Week	0 2 0	1 1 3	
Pittenweem	0 4 0	...	Kirkwall	0 12 0	13 17 4	
Dumfermling	0 16 0	6 0 5	Inverbervie	0 1 0	0 7 1	
Anstruther Wester	0 1 0	0 7 1	Stranraer	0 3 0	...	
Selkirk	0 9 0	3 10 10	Campbeltoun	0 2 0	0 14 2	
Dumbarton	0 6 0	2 2 6				
Ranfrew	0 5 0	2 2 6				
Dumbar	0 10 0	2 16 8				
Lanerk	0 10 0	4 5 0				
Aberbrothock	0 10 0	3 10 10				
Elgine	0 15 0	7 1 8				
Peebles	0 8 0	3 3 9				
Crail	0 4 0	2 16 8				
			Agent for unfree trade	5 10 0	12 12 6	
			Burghs mentioned in the other side	2 0 0	...	
				£100 0 0	£240 0 0	

22. Continued the tax roll of the burghs of barony and regality till the Tax roll of
tax roll in the foregoing act be altered. burghs of
barony &c

23. Approved of commission from the burgh of Week.

24. Remitted to the annual committee petition from Thomas Mathie, merchant in Cockeny, "craveing that certain merchants who have set up trade in that town may be ordained to pay a proportion of 1^d. laid on the petitioner."

25. Remitted to the annual committee petition from the deacon convenor and incorporated trades of Cupar setting forth that he and the magistrates are called in a process before the lords of session at the instance of Thomas Russell, Convenor and trades of Cupar.

- EDINBURGH. a freeman wright, "for reducing a decreet of the conveener and his councill
7 July 1737. against him, notwithstanding of the antient priviledge of the conveeners court in
Conveener and trades of that and sundry other burrows and which concerns the hail state of burrows."
Coupar. The committee was empowered to expend £20 sterling in the case.
Measure for lintseed. 26. Continued the 11th article of the missive anent putting to execution the
act of parliament as to the measure for retailing lintseed, with this addition
"under the penaltys contained in the act of parliament made in the thirteenth
year of his late Majesty King George."
- Jedburgh, 27. Remitted to the annual committee petition by the burgh of Jedburgh
unfree traders. complaining of several unfree traders in their neighbourhood.
- Traders in 28. Remitted to the annual committee petition from traders in Aloa com-
Aloa, customs. plaining of several undue exactions by the collector of customs.
- Onslow's 29. The committee appointed to consider how the sum of one hundred
donation to be pounds sterling given by the right honourable Arthur Onslow, esq.,
given in prizes. speaker of the house of commons, for the encouragment of the manu-
facture of table linnen should be distributed reported that they having
met and reasoned upon that matter were of oppinion that it will most
contribut to the encouragment of that manufacture that the said sum
should be given in prizes to such persons who shall exhibit the best
woven and best whitned table linnen for sale of the different qualities
aftermentioned, and that the said sum should be divided into three equall
parts and be given to the proprietors of the said linnen in the year 1738,
1739 and 1740, being thirty three pounds six shillings eightpence
sterling for each of the said years, and that proportionally according to
their qualifities aftermentioned, viz., (1.) That the best peice of broad
damask for sale not under two and a half yeards broad and twelve yeards
long, with two dozen of damask napkins $\frac{7}{8}$ ths broad, to be contended for
at Edinburgh upon the first Thursday of October 1738, shall receive a
premium of eleven pounds two shillings 2 $\frac{1}{2}$ d. sterling. (2.) That the best
peice of diaper or dornock not under two and a half yeards broad and
twelve yeards long, and two dozen of napkins $\frac{7}{8}$ ths broad to be contended
for at the burgh of Dumfermling upon the third Thursday of August 1738
shall receive a premium of seven pound eight shilling 1 $\frac{3}{4}$ d. sterling.
(3.) That the best peice of diaper or dornock two and one quarter yeards
broad and twelve yeards long and two dozen of napkins $\frac{7}{8}$ ths broad to be
contended for at the burgh of Coupar upon the third Thursday of August

1738 shall receive a premium of seven pounds eight shillings 1½d. sterling. EDINBURGH.
7 July 1737.
Onslow's dona-
tion to be
given in prizes.
(4.) That the best peice of diaper or dornock two yeards broad and twelve yeards long and two dozen napkins ¾ths broad to be contended for at the burgh of Dumfermling upon the said third Thursday of August 1738 shall receive a premium of £7, 8s. 1d. sterling; and that the agent should be appointed to advertise the same in the Edinburgh news papers in October next, and so in the two subsequent years, that all persons may be duely apprysed thereof. Which being considered by the convention they approve of the report and appoint their agent to pay the said sums to the gainers of the several prizes and to advertise the same in the terms of the report.

8 July 1737.

30. Missive dues, £9500 Scots; George Smollet's bond, principal and interest, £2673, 7s. 10d.; Discharge, including Smollet's bond and £1180 being last year's balance, £12,505, 5s. 10d.; balance due to agent, £331, 18s. Scots. Agent's ac-
counts of
missive dues.

31. Charge; balance due by agent on last year's account £3007, 5s. 4¾d.; received from burghs of barony and regality, £1600, 17s. 7½d.; total, £4608, 3s. 0½d.; payments, £2477, 19s. 11d.; balance due by agent, £2130, 3s. 1 7 d. Agent's ac-
counts of
unfree trade.

32. The convention considering that the city of Edinburgh, the metropolis of North Britain, has lately been put to great expence by the unhappy and wicked riot which certain disorderly persons who gott into that city committed there, and that it has always been the laudable practise of the royal burrows to assist such of their number as by processes or other ways were or had been brought into difficulties, therefore they doe hereby unanimously appoint their agent to pay to the city treasurer of Edinburgh the sum of one thousand pounds sterling, in three payments, viz., the sum of £333, 6s. 8d. at July 1738, the like sum of £333, 6s. 8d. at July 1739, and the like sum of £333, 6s. 8d. at July 1740. Agent to pay
Edinburgh
£1000 sterling
(Porteous'
mob.)

33, 34. Appointed the agent to pay the conservator (1) £120 sterling, to reimburse his expenses in connection with the prolongation of the staple contract, and (2) £16, 12s. 7¼d. sterling, being sum required to be added to the fees to make up the depute's salary. Conservator,
disbursements
and fees.

35. Ratified and confirmed contract dated 24th October last entered into between the conservator on behalf of the royal burghs and the deputies of the Staple con-
tract.

EDINBURGH. town of Campvere "containing a prolongation, continuation, amplification and
8 July 1737. illustration of the present staple contract for the space of twenty one years" from
Staple con- 25th December 1739.
tract.

Letter to the
magistrates of
Campvere.

36. [Approved of the following draught of a letter to the magistrats and councillors of the town of Camphere]:—Right honourable—
The contract entered into by our trustee freind Archibald M'Aulay, esq., with your deputys on the 24th of October last, containing a prolongation, continuation, amplification and illustration for the space of twenty one years of the staple contract presently subsisting betwixt us, having been laid before us, together with your oblidging letter of the 27th of the said moneth notifying the same, wee doe by this acquaint your honours that we have in due form ratified the said contract and fully authorized the said Archibald M'Aulay, our conservator, by himself or by his deputy resideing at Campvere, to exchange the same with your honours in the usual manner. Wee have further to observe to your honours that whatever proofs the said Archibald M'Aulay may have given yow of the sincerity of his intentions touching the punctual execution of the said contract on our part are most agreeable to our inclinations and shall always be seconded by our authority, and as wee have full assurances of the like on your part, wee are perswaded this new contract cannot fail to produce the desired effect of the mutual advantage both of your city and the Scots nation.

Kinghorn.

37. Approved of report as to the burgh of Kinghorn finding "the alleadgance formerly made to the convention of concealing the common good of the said burgh to be groundless," and appointed the agent to pay to the burgh £20 sterling "towards repairing their harbour and cleansing the same."

Linnen cloath
and yarn.

38. The convention having heard a memorial from dealers in linnen cloth and yarn, "complaining that the linnen yarn sold in the countys of Pearth and Forfar and many other places was both uneven and slackly spun and short of the tale and measure, they remit the consideration thereof to the annual committee to apply to the trustees for rectifying these abuses."

Petition, Lime-
kilns.

39. Remitted to the annual committee petition by inhabitants in Limekilns complaining of their total decay of trade and craveing to be eased or relieved of their heavy proportion of the tax roll.

Unfreetraders.

40. Remitted to the annual committee list of unfree traders given in by Inverness, with powers to prosecute them.

41. The convention appoint their agent to pay to James Dumbar five pound sterling for his book intituled The Industrious Countryman. EDINBURGH. 8 July 1737.
42. Compeared George Lindsay, conjunct depute clerk of Edinburgh, and qualified himself to his Majesty King George the 2d by takeing the oaths of alleadgance and abjuration and subscribeing the same with the assurance. James Dumbar, "The Industrious Countryman." George Lindsay qualified.
43. The convention did unanimously recommend to the annual committee to lay hold of every opportunity of acknowledging their great thankfullness in the most respectfull manner to all the members of parliament in this part of the United Kingdom for their great and remarkable services performed by them in the last session of parliament, and further recommend to the several burrows to doe the same to their respective representatives. Remit concerning members of parliament.
44. The convention appointed their agent to pay to the relict of James Moncurr, burrow officer, five pound sterling of supply. Agent to pay Mrs Moncurr 5 li.
45. Annual committee appointed. Annual committee.
46. Appointed the agent to pay certain salaries and gratuities. Salaries and gratuities.
47. Dissolved the present convention and appointed the next to be held at Edinburgh on the first Tuesday of July 1738. Convention dissolved.

MEETINGS OF ANNUAL COMMITTEE *held at* EDINBURGH.

12 July 1737.

Edinburgh, Mr Thomas Heriot ; Air, Andrew Hunter ; Coupar, Mr James Lesslie ; Selkirk, Mr Pringle, assessor ; Dumbarton, Mr James Smollet ; Elgine, William Forbes ; Tain, Mr Ross ; Whithorn, William Agnew ; Dingwall, Alexander Jolly ; Fortrose, Mr Hugh Forbes ; Inverary, Ronald Dumbar ; Kirkwall, Mr Gordon. EDINBURGH. 12 July 1737. Sederunt.

1. The honourable William Crokat, eldest bailie of Edinburgh, elected preses.
2. Remitted to a subcommittee to concert with the trustees for the improvement of fisheries and manufactures measures for redressing the abuses complained of by dealers in the herring trade and also the complaints against the makers of linnen cloath in the counties of Perth and Forfar. Herring and linnen cloath.
3. Remitted to the same subcommittee to wait on the commissioners of customs and endeavour to get the custom house removed from Stranaway to Lochbroom. Customs, Stranaway.

EDINBURGH.
12 July 1737.
Cockeny.

4. Delayed till next meeting consideration of petition contained in the 24th act of last convention.

8 November 1737.

Preses.

Archibald M'Aulay, lord provost of Edinburgh, preses.

Sederunt.

Edinburgh, James Colhoun; Linlithgow, Mr Buckney; St Andrews, Patrick Lindesay; Montrose, John Coutts; Dysert, George Irving; Craill, John Lumsdean; Dumbarton, Mr James Smollet; Fortrose, Mr Hugh Forbes; Forres, William Forbes, wryter to the signet; Inverary, Ronald Dumbar; Dingwall, Alexander Jolly; Elgine, William Forbes, wryter.

Prosecution of
oppressors of
herring fishing.

The committee having taken into consideration the several complaints given in to the last convention by the merchants, shipmasters, and others concerned in the herring fishing, against the inhabitants and others at Lochbroom and other parts in the west of Scotland, and the preses having laid before the committee a letter from Mr John Garshore, merchant and present dean of gild of Glasgow, acquainting them that he had expended a considerable sum in prosecuting these offenders, and desireing they would order their agent to pay over to him the sum of fifty pounds sterling allowed for that prosecution by the fifteenth act of the last convention; and the committee being sensible that it much concerns the state of burrows that those concerned in this valuable branch of trade should be protected against all insults and oppressions whatever, have therefor appointed and hereby appoint their agent to pay to the said Mr John Garshore the abovementioned sum of fifty pounds sterling for the purposes contain'd in the said act of convention and for which he is to be accomptable to the next general convention.

22 December 1737.

Archibald M'Aulay, lord provost of Edinburgh, preses.

Sederunt.

Edinburgh, James Colhoun; St Andrews, Patrick Lindesay; Air, James Hunter; Dysert, George Irving; Innerkeithing, John Cant; Selkirk, Mr Andrew Pringle; Dumbarton, Mr James Smollet; Dumbar, Captain James Fall; Elgin, William Forbes; Dornock, Mr John Baillie; Inverary, Ronald Dumbar; Kirkwall, Mr Charles Gordon.

The preses laid before the committee a letter which he had received from Mr Alexander Dundas, merchant in London, acquainting him that a bill was designed to be brought in next session of parliament for taking off the drawback on forreign linnen exported furth of Britain which would be a considerable advantage to the manufacturers of linnen thro the whole United Kingdom, and therefor desiring the concurrence of the royal burrows for promoting the said bill, which being considered by the convention and they being fully satisfied that the said bill will (if passed into ane act) much contribut to promote the linnen trade of Scotland and their trade to the British plantations they remit to the burghs of Edinburgh, St Andrews, Dumbar and Dysert, to bring in the draught of a letter to be sent to the several representatives in parliament for Scotland intreating that they will use their best endeavours to promote the said bill, and appoint their preses to write to the said Mr Alexander Dundas acquainting him what the committee have done in the matter.

EDINBURGH.
22 December
1737.
Anent draw-
backs on linnen
exported.

27 December 1737.

Archibald M'Aulay, lord provost of Edinburgh, preses. Edinburgh, Sederunt.
Mr James Colhoun; Air, Andrew Huntar; Dysert, George Irving;
Dingwall, Alexander Jolly; Elgin, William Forbes; Inverary, Ronald
Dumbar.

1. The committee appointed to draw up a letter to the royal burrows concerning the drawbacks on forreign linnen exported presented the draught thereof and of ane letter to the representatives in parliament for the several shires in Scotland, which being read the committee approve thereof and appoint the same to be sign'd by their preses and to be dispatched without loss of time, and of which letters the tenor follow :—

Draught
letters ap-
proven, foreign
linen.

Letter to the royal burrows :—

The annual committee of the royal burrows have advice from good authority that a bill is to be moved in parliament this ensueing session for discontinowing the drawing back of the duties that are payed upon foreign made linnen at importation when it is again exported to the plantations.

Letter to royal
burrows.

The great advantages arising to our country from such a law are

EDINBURGH.
27 December
1737.

Letter to royal
burrows.

obvious, and wee have now a promising prospect of succeeding in this attempt which has been long designed. Wee thought it our duty to acquaint yow of it that yow may write to the member who represents your district in parliament to attend this session and to give his assistance in passing this bill into a law which will prove a general good to this country with regard to our linnen manufacture and trade to the British plantations. We are, [etc.] Edinburgh 27th December 1737.

Letter to
representatives
of countys.

Letter to the representatives for the countys of Scotland :—

Sir,—I thought it my duty to furnish yow with this information by sending yow a copy of this letter inclosed upon a subject that concerns the general good of this country, the shires no less than burroughs, that yow may have an opportunity to use your interest in parliament in passing this bill, wherein wee are assured of the freindship of the most considerable traders of London, the interest of the members that serve for the northern counties of England, and all the gentlemen of Ireland who have seats in the house of Commons. I am, [etc.]

Limekilns.

2. Having considered petition from the inhabitants of Limekilns craving the convention would accept the renunciation of the communication of trade, the committee declined to do this but authorised the agent to supersede quartering for one half of the arrears till next convention.

Thomas Mathie
in Cockeny.

3. Refused the petition of Thomas Mathie, merchant in Cockeny, craving to be relieved of some part of what he is charged in the tax roll ; reserving to the petitioner to insist against those persons who carry on trade for payment of their proportions.

24 April 1738.

Sederunt.

Archibald M'Aulay, lord provost of Edinburgh, preses.

Edinburgh, James Colhoun ; Montrose, John Coutts ; Dysert, George Irving ; Forress, Mr William Forbes ; Fortrose, Mr Hugh Forbes ; Dumbarton, Mr James Smollet ; Cullen, John Philp ; Dornock, John Baillie ; Tain, William Ross.

Act anent the
burgh of Jed-
burgh.

The annual committee having heard a petition subscribed by a great many of the burgesses tradesmen and inhabitants of the burgh of Jedburgh craving that governours may be appointed for the said burgh, &c., they appoint their officer furthwith to repair to the said burgh of

Jedburgh and serve the burgeses and inhabitants thereof with a copy of the said petition, by affixing the said copy upon the cross of the said burgh, and to summond the burgeses freemen and inhabitants of the said burgh to appear before the annual committee in the burrow rume at Edinburgh upon Tuesday the second day of May next at ten o'clock in the forenoon to answer to the said petition and show cause why the desire thereof should not be granted.

EDINBURGH.
24 April 1738.
Act anent the
burgh of Jed-
burgh.

2 May 1738.

Archibald M'Aulay, lord provost of Edinburgh, preses. Edinburgh, Sederunt.
James Colhoun; Dysert, George Irving; Dumbarton, Mr James Smollet;
Tain, William Ross; Cullen, John Philp; Dingwall, John Jolly; Kirkwall,
Mr Charles Gordon.

The annual committee upon consideration had of a petition of James Davidson and other inhabitants burgeses and freemen of the burgh of Jedburgh thereto subscribeing, and of ane order of the committee thereupon made of the twenty fourth of Aprile last, with the execution of the aforesaid order, and upon consideration had of a counter petition by John Haswell and other burgeses and inhabitants of the said burgh thereto subscribeing, together with a memorial thereto relative on behalf of the said John Haswell and the other persons subscribers to the said counter petition, together also with the judgment of the most honourable the house of Lords dated the 14th of April last setting aside and making void the elections made there, about Michaelmas last, of two setts of magistrats and councill, did and hereby doe nominat, authorize and empower John Smyth, merchant and late provost of Jedburgh, James Davidson, merchant and late baillie there, Joseph Thomson, merchant and late baillie there, George Martin, merchant and late baillie there, John Jardin, merchant and late baillie there, Archibald Douglas, merchant and late baillie there, and William Thomson, surgeon there, or any four of them who shall accept of the trust aftermentioned and find security in manner herein directed, to be manadgers of the said burgh of Jedburgh till the next legal election of magistrats and council in the said burrow, with power to the saids manadgers or any four of them to intromit with, uplift and receive the rents, revenues and other moneys belonging to the said burrow, together

Act, authorize-
ing manadgers
for the burgh
of Jedburgh.

EDINBURGH.
2 May 1738.
Act, authorize-
ing manadgers
for the burgh
of Jedburgh.

with the charters, writes, evidents and books belonging to the said burrow, and to have the care and direction of the publick works and buildings belonging to the said burrow, and to doe every thing necessary to prevent any damnadge that may arise to the estate and patrimony of the said burgh thro the want of a legal magistracy and council, the saids manadgers or such of them who shall accept of the said trust betwixt and the fifteenth of May instant enacting themselves in the books of the royal burrows, conjunctly and severally, to accompt for, answer, pay and deliver any intromission to be had by them or any of them by virtue of thir presents to the magistrats and council of the said burrow that shall be first legally establisht, and that whenever the said manadgers shall be thereto required, under the penalty of twenty pounds sterling attour performance; and accordingly the haill manadgers abovenamed, except the above John Smyth, gave in their bond and enactment subscribed by them of the date sixth day of May instant, whereby they became bound conjunctly and severally for each other in the terms of the above appointment.

